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Region 2 News Clips

[Ridgewood Water sues DuPont and others over PFAS contamination](#) (NORTH JERSEY; March 11, 2019)

Serving 61,700 customers in Midland Park, Glen Rock, Wyckoff and the village, Ridgewood Water has filed a lawsuit against alleged polluters, aiming to recoup the costs of protecting its water system against drinking water contamination.

[Another fine N.J. mess from ExxonMobil | Editorial](#) (NJ.COM; March 10, 2019)

This time, here's hoping ExxonMobil doesn't get away with it — the same way that the oil and petrochemical giant did with an outrageous settlement four years ago of a statewide, longstanding pollution case that New Jersey had filed.

[PAFB legacy — tainted groundwater](#) (PRESS REPUBLICAN; March 8, 2019)

The former Plattsburgh Air Force Base property has been identified as one of 106 sites nationwide that have contaminated groundwater.

[Water near Joint Base and Earle polluted by possible carcinogen: report](#) (ASBURY PARK PRESS; March 8, 2019)

Military bases, including the Joint Base McGuire-Dix-Lakehurst and Naval Weapons Station Earle, used a firefighting foam rife with dangerous chemicals for decades after being warned of the risks, according to a new report by the Environmental Working Group.

[The most toxic sites in each New Jersey county](#) (NJ ADVANCE MEDIA; March 8, 2019)

New Jersey has more places under the federal Superfund program, which prioritizes cleanups of dangerous contaminated sites, than any other state.

[Trump's latest EPA pick works for company linked to NJ Superfund site](#) (NJ ADVANCE MEDIA; March 8, 2019)

The candidate that President Donald Trump has picked to oversee the cleanup of Superfund sites around the country is currently employed by one of the companies responsible for some toxic sites in N.J.

[Supervisors want village, school to cover delinquent taxes](#) (GLENS FALLS POST-STAR; March 8, 2019)

Following a lengthy discussion, the Washington County Board of Supervisors Finance Committee voted in favor of removing two Fort Edward parcels — the former General Electric Co. dewatering site in Fort Edward — from the county real estate tax rolls.

[AG Takes Aim at ExxonMobil Over Polluted Site in Gloucester County](#) (NJ SPOTLIGHT; March 8, 2019)

The state is once again going after ExxonMobil to clean up and pay to restore once pristine natural areas, in this case a 12-acre site in Gloucester County where drums of industrial products and other contaminants were dumped.

[Bethpage Water District files lawsuit against Northrop Grumman, chemical companies](#) (NEWSDAY; March 7, 2019)

The Bethpage Water District filed a federal lawsuit Thursday against Northrop Grumman and chemical companies over the likely carcinogen 1,4-dioxane, which has been found in the district's drinking water wells at levels 12 times higher than what was recommended by a state drinking water panel.

Former supervisor weighs in on Fort Edward tax issue over dewatering site (GLENS FALLS POST-STAR; March 7, 2019)

Up for discussion at Thursday's Washington County Board of Supervisors Finance Committee meeting is the fate of the former General Electric Co. dewatering site in Fort Edward, owned until recently by WCC, a D.A. Collins real estate holding company based in Ballston Spa.

Good news! N.J. factories and refineries only released 6 million pounds of toxic chemicals in 2017 (NJ ADVANCE MEDIA; March 6, 2019)

Factories, refineries and other industrial facilities in New Jersey released almost six million pounds of toxic chemicals into the state's air, water and land in 2017, according to newly published federal data.

National News

Air

Bloomberg Environment: Kavanaugh Ruling May Keep Judges from Backing EPA Coolant Limits

E&E News: EPA advisers blast draft soot assessment

Phoenix New Times: Environmentalists Plan to Sue EPA for Missing 51 Clean-Air Deadlines in Arizona

Climate

E&E News: Panel sets 'ambitious' agenda on projects, climate change

Congress

E&E News: Legislation would ban carcinogen

EPA

Bloomberg Environment: Makeover of EPA's Science Office Long Planned by Career Staff

E&E News: EPA shaking up research office with reorganization

E&E News: IG issues alert over destruction of employee's notes

Fuel

Feedstuffs: EPA sends E15, RIN reform rules to OMB

KTIC Radio: Fischer responds to reports that EPA acted to help big refineries

Hazardous Waste

San Francisco Chronicle: Feds to spend \$65M to clean up Navy dumb site, wood facility

Transportation

Axios Generate Newsletter: Chart of the day [carbon emissions from the transportation sector]

E&E News: The rollback that automakers don't want

Tri

Insider NJ: NJ Still Among Nation's Most Polluted

Pesticide

Bloomberg Environment: Pesticide Registration Program Renewal Signed Into Law

Water

Bloomberg Environment: Drinking Water Limits for Fluorochemicals Years Away: EPA

Full Articles

Region 2 News

NORTH JERSEY

Ridgewood Water sues DuPont and others over PFAS contamination

By Meghan Grant

March 11, 2019

Serving 61,700 customers in Midland Park, Glen Rock, Wyckoff and the village, Ridgewood Water has filed a lawsuit against alleged polluters, aiming to recoup the costs of protecting its water system against drinking water contamination.

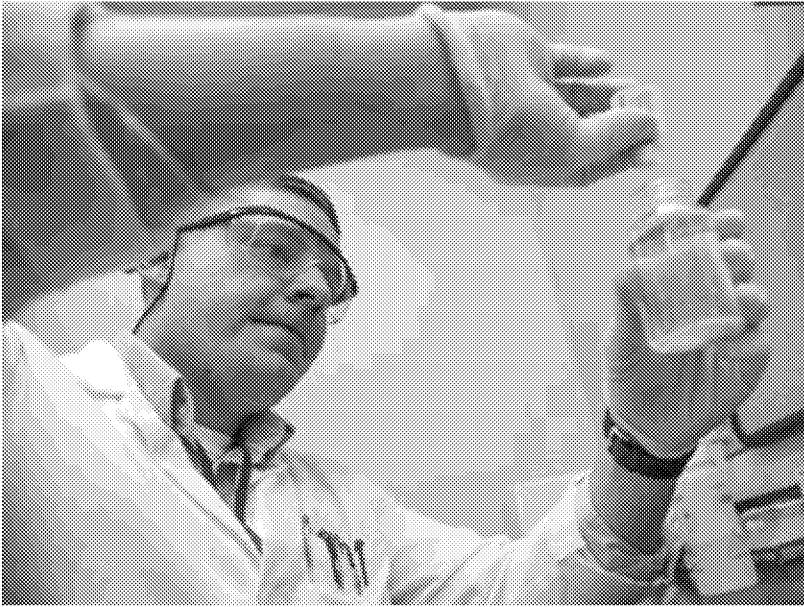
Ridgewood Water filed the complaint last month in Superior Court in Bergen County against major corporations, alleging they “knew or should have known” that their chemical firefighting products were soluble and “very likely to contaminate surface and groundwater,” posing health risks. According to the complaint, 44 of its 52 municipal supply wells are contaminated.



Ridgewood Water Director Rich Calbi explains PFAS in common, everyday products. (Photo: Meghan Grant)

The village hired California-based law firm Sher Edling LLP in November to sue potential polluters over the expensive costs of meeting new state and federal water quality standards, especially those addressing per- and polyfluoroalkyl substances, or PFAS, a group of man-made chemicals that have been linked to cancer and other illnesses. Chemicals in the group include perfluorooctanoic acid (PFOA) and perfluorooctane sulfonic acid (PFOS).

“PFOA and PFOS are toxic, not easily biodegradable, persistent in the environment, and pose a significant risk to human health and safety. PFOA and PFOS are associated with a variety of illnesses, including cancer, and considered particularly dangerous to pregnant women and young children,” according to the complaint filed by village attorney Matt Rogers.



A chemist testing water for PFOA, PFOS. (Photo: Tom Tingle/The Republic)

PFAS are common, used to make everyday products such as firefighting foams, high-performance plastics, non-stick cookware and stain-resistant carpets and clothing. By federal law, PFAS are no longer manufactured in the United States but remain pervasive in the environment, and can still be found in imported products. New Jersey has stringent water-quality standards when it comes to the substances, and new standards are expected to be adopted at the state and federal levels.

Companies named as defendants in Ridgewood Water’s complaint are 3M Co. E.I. du Pont de Nemours and Co., The Chemours Co., Honeywell International Inc. (successor-in-interest to Allied Chemical Corp.), Tyco Fire Products LP (successor-in-interest to Ansul Co.), Chemguard Inc., Buckeye Fire Equipment Co., and National Foam Inc., in addition to to-be-named corporations. No attorneys are listed in court documents.

Ridgewood Water names 3M as the “primary manufacturer of PFOA and PFOS” for the past several decades in its complaint, pointing to products such as Scotchguard stain repellent, food packaging, coating substances and additives produced prior to 2002. It also noted PFOA in the production of DuPont’s Teflon products. Both companies ceased production of the identified substances in 2002. The complaint also focused on production of aqueous film-forming foam, used in firefighting.

“3M was informed as early as 1960 that chemical wastes from its PFAS manufacturing facilities that were dumped to landfills could leach into groundwater and otherwise enter the environment. An internal memo from 1960 described 3M’s understanding that such wastes ‘[would] eventually reach the water table and pollute domestic wells,’” the complaint reads.

Ridgewood Mayor Ramon Hache called the legal action “the responsible thing.”

“This is one of many steps Ridgewood Water has taken to protect the drinking water from PFAS and to protect the ratepayers from the cost of removing the chemicals,” Hache said. “The defendants in this case are companies that manufacture, sold and promoted the products containing the PFAS, even though they knew that these products would contaminate the water.”



Chemours has had to make payouts in settlements over PFOA. *(Photo: Jennifer Corbett, The News Journal)*

Studies have linked PFOA to liver and immune system disease and delays in growth and development of fetuses and infants, according to the Department of Environmental Protection. The U.S. Environmental Protection Agency detected higher PFOA levels 14 drinking water systems, including Ridgewood Water, Fair Lawn, Garfield, Wallington and Hawthorne.

Identified in the suit as Ridgewood Water’s trial counsel, Sher Edling has gained attention for taking corporations like Procter & Gamble, Dow Chemical and Shell Chemicals to court on behalf of city utilities, alleging the companies caused harm by polluting drinking water.

In a statement, Ridgewood Water said the litigation delivers on a commitment to seek funding from “responsible parties.”

“The companies that knowingly sold and promoted these products — despite recognizing that they would impact our drinking water — must be held accountable for the costs we will incur to remove them, and that is what this lawsuit is all about,” the statement read.

The complaint notes steps Ridgewood Water has already taken in response, including taking wells with elevated PFOA and PFOS levels out of service; and developing plans, such as wellhead treatment, to address contamination. “Ridgewood anticipates taking these and additional steps to address the continuing and future PFOA and PFOS contamination in its wells,” according to the complaint.

It notes the most viable ways to remove PFAS involve “extremely expensive” technologies.

Ridgewood Water held a series of open houses in autumn to explain its plan to address PFAS contamination and for capital investment in its system. As of last autumn, the utility's water tested below the EPA's standards for PFOA and PFOS, said Director Rich Calbi.

Beginning this year, water providers will be required to monitor for these chemicals and must include readings in the consumer confidence report issued to customers each year.

Sher Edling will earn a contingency fee if the suit results in a financial award. The fee is on a graduated scale, with a maximum of close to 25 percent. Rogers said the arrangement will not cost the utility or ratepayers anything outside of the time staffers to help prepare the documentation.

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NJ.COM

[Another fine N.J. mess from ExxonMobil | Editorial](#)

March 10, 2019

This time, here's hoping ExxonMobil doesn't get away with it — the same way that the oil and petrochemical giant did with an outrageous settlement four years ago of a statewide, longstanding pollution case that New Jersey had filed.

On Thursday, the state announced a new natural resources damage lawsuit against the company, covering just one small site in Paulsboro and East Greenwich Township. Attorney General Gurbir Grewal contends that ExxonMobil dumped cancer-causing chemicals, dating back to the 1950s, that have shown up in the Mantua Creek.

The new filing is a reminder that 2015's controversial "2 percent solution" — ExxonMobil had to pay just \$225 million for environmental damages that state attorneys had estimated at \$8.9 billion — didn't cover everything that the company may have done in its past to foul New Jersey's water and land.

Christie administration officials defended the 2015 deal, saying that it ended litigation that had gone on since 2004, and that the state would have been unable to win the full \$8.9 billion at trial. The pennies-on-the-dollar settlement sparked more outrage when it was reported last year that just \$50 million of the \$225 million would go to a cleanup.

The newly elected administration of Gov. Phil Murphy said \$125 million would go straight into the general budget. Voters had just approved a constitutional amendment to prevent such raids on contamination case proceeds, but state Department of Environmental Protection Commissioner Catherine McCabe said the settlement occurred before approval of the amendment. Using this loophole was a bad-faith move by a governor who likes to compare his environmental record to that of Gov. Chris Christie, who was in charge in 2015.

Later last year, in a final blow, the state Supreme Court upheld the \$225 million settlement, ending a challenge to the tiny amount by environmental groups. The restoration work needed covers mainly former Exxon refinery sites in Linden and Bayonne, plus company-owned service stations all over the state. Apparently, the 12 Gloucester County acres known as Lail Property were not included.

At least history can't repeat itself entirely at the Lail site. Whatever judgment or settlement the state might receive won't be skimmed. Mobil, which previously owned the nearby Greenwich Township refinery, had undertaken a cleanup at the Lail site, but the state said it filed the suit because recent testing showed the work to be ineffective. Among red-flag items recently discovered as a result of the dumping are polychlorinated biphenyls (PCBs), such a potent cancer-causing agent that the federal government banned the insulating chemicals' use in 1979.

Gloucester County residents are quite familiar with PCBs: The chemicals were found in the infamous lagoon at the Bridgeport Rental and Oil Services Superfund site in Logan Township. PCBs were additionally a focus of protests against a now-defunct toxic-waste incinerator, also in Logan, that wanted to burn them in the 1970s and 1980s.

ExxonMobil officials said Thursday that they're surprised by the Lail lawsuit, because they have already spent \$47 million to try to clean up the site.

Two successive administrations now have dirty hands with respect to making an oil giant fully fund a cleanup of its apparent dirty deeds. If the state's new allegations have merit, the Murphy administration should play hardball. Grewal said the state intends to "bring the hammer down on polluters and hold them responsible," but chances are good the Gloucester County case will also bring a negotiated settlement. Don't give away the store, and collect at least what it costs to make the creek virtually PCB-free.

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PRESS REPUBLICAN

[PAFB legacy — tainted groundwater](#)

By Joe LoTempio

March 8, 2019

The former Plattsburgh Air Force Base property has been identified as one of 106 sites nationwide that have contaminated groundwater.

As a result, the wells of four homes near the base property are being treated.

"Of course, I worry after all these years," said Janet Mitchell, a resident of Kemp Lane, where wells are being filtered.

"I wonder what it could cause."

A recent report from the Department of Defense shows that 106 military or former military sites have been contaminated with hazardous amounts of polyfluoroalkyl substances known as PFAS.

In addition to PAFB, Fort Drum in Watertown and the former Griffiss Air Force Base in Rome and a Defense Logistics Agency site in Verona, both in Oneida County, have also been identified as contaminated by the chemicals.

LINKED TO CANCER

PFAS have been linked to kidney and testicular cancer, thyroid disease and weakened childhood immunity.

The chemical was in foam used to fight jet fuel fires.

Rodney Brown, Clinton County's deputy administrator, said PFAS were used at the base regularly in firefighting training exercises.

The base was in operation from 1955 to 1995.

Brown said testing for the hazardous substance did not occur until a few years ago.

Tests were done on the base property and in surrounding areas, beginning in 2015.

"When we found high levels, we did further testing because that (substance) could migrate," Brown said.

FILTERS, BOTTLED WATER

David Farnsworth, program manager of the Air Force Civil Engineer Center in Plattsburgh, and a member of the Air Force Restoration Advisory Board, said that between 50 and 53 properties off the base, but near it, were sampled.

Municipal water supplies such as those in the City and Town of Plattsburgh and Town of Peru are safe, Brown said, as the contaminants cannot get into those systems.

Plattsburgh International Airport, on the site of the old base, is not affected.

"It's only wells we are mostly concerned about," Brown said.

Mitchell and most of her neighbors on Kemp Lane near the base property have wells.

Three of them have been provided with filter systems to cleanse their water supply.

Another home has been identified, but there is no room on the property to install a filter system, according to an Action Memorandum prepared by the United States Air Force Air Force Civil Engineer Center.

Residents there have been provided with bottled water, as have the other properties affected in addition to their filter systems.

Mitchell has a filter system and gets bottled water.

"I know the water is probably safe to drink with the filter, but I just feel better drinking the bottled water," she said.

"I give it to my pets, too."

AIR FORCE'S RESPONSIBILITY

Long term solutions include hooking Kemp Lane into the Town of Plattsburgh's water supply.

Town Supervisor Michael Cashman and Scott Stoddard of the town's Water Department said they are exploring possibilities.

"We are talking to the Air Force about options, and we might be able to expand our public infrastructure," Stoddard said.

The Air Force is responsible for the cost of addressing the issues.

According to the Action Memorandum, it has already spent about \$173,882 on the problem.

The cost includes \$47,480 for the installation of carbon treatment systems; \$21,426 for operation and maintenance of those systems; \$103,249 for eight rounds of quarterly monitoring; and \$1,726 for bottled water.

Cashman said he has been speaking with Congresswoman Elise Stefanik (R-Schuylerville) about improvements not only to the water systems, but all infrastructure near the base.

"As the airport continues to expand, which is great for the local economy, we have to look at infrastructure," he said.

LONG-AGO SINS

According to the Environmental Working Group, a nonprofit, nonpartisan environmental watchdog organization in Washington, D.C., the dangers of PFAS have been long known.

The man-made chemicals were first created and introduced into commerce in the 1940s, according to a Working Group news release.

The two best-known are PFOA, formerly used to make Dupont's Teflon, and PFOS, formerly an ingredient in 3M's Scotchgard.

Those chemicals, the release said, have been phased out in the United States.

"Despite concerns voiced by both 3M and Navy scientists as early as the 1970s, the military continued to require the use of PFAS-based firefighting foam for nearly 50 years," the release said.

County Legislator Mark Dame (R-Area 8, City and Town of Plattsburgh), who represents Kemp Lane, said the Air Force and federal government should remedy the situation as quickly as possible.

"There are a lot of environmental sins that were committed years ago when nobody even knew they were sins," he said.

"Now, they are ending up being environmental issues."

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ASBURY PARK PRESS

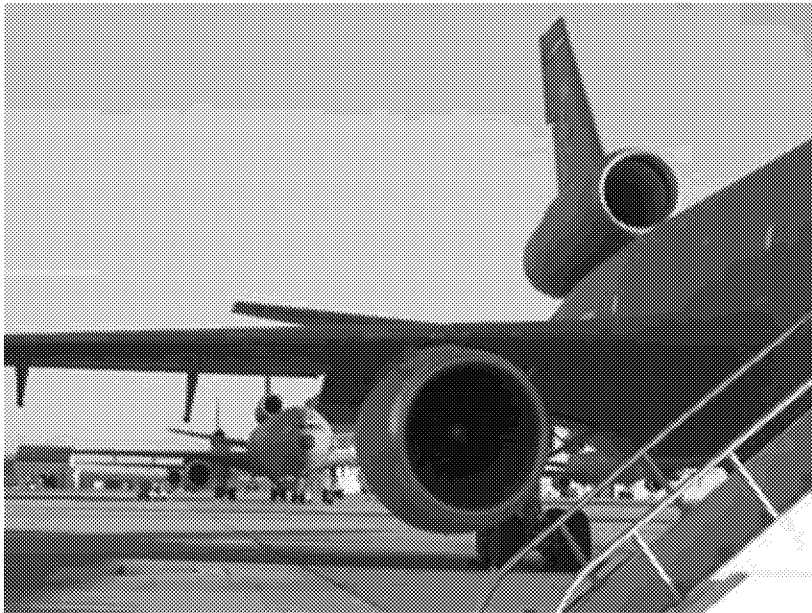
Water near Joint Base and Earle polluted by possible carcinogen: report

By Russ Zimmer

March 8, 2019

Military bases, including the Joint Base McGuire-Dix-Lakehurst and Naval Weapons Station Earle, used a firefighting foam rife with dangerous chemicals for decades after being warned of the risks, according to a new report by the Environmental Working Group.

That head-in-the-sand strategy resulted in pockets of contaminated groundwater across the nation, including here in New Jersey, the EWG's report concludes. EWG is a nonprofit environmental research and advocacy group.



The firefighting foam contained PFAS chemicals, which have been linked to developmental problems in children and higher rates of cancer. Watch the video at the top to see how pervasive these chemicals are.

PFAS are a family of chemicals that includes PFOA, an ingredient in Teflon, and PFOS, which can be found in products like Scotchguard.

Because the use of PFAS has been so widespread since the 1940s and because these manmade chemicals never breakdown, there is very likely some level of PFAS in your body right now.

Research into the adverse effects of PFAS is inconclusive, according to the Agency for Toxic Substances and Disease Registry, but studies suggest the chemicals could be linked to:

- Developmental problems in children
- Fertility issues
- Interference with hormones
- High cholesterol
- Weakened immune system
- Increased risk of prostate, kidney and testicular cancer

Manufacturers began phasing the use of PFAS out of consumer goods in 2000.

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The federal government has a guideline for PFAS in drinking water, but nothing in the rule requires cooperation or forces polluters to pay for cleaning up their messes.

New Jersey vaulted ahead of other states last year when it declared an enforceable limit on PFNA, another fluorinated chemical under the PFAS umbrella. The state is also close to cementing regulations on PFOA and PFOS that will require compliance.

In a statement accompanying the report, the EWG notes that there were warning signs as far back as the 1970s that should have persuaded the U.S. Department of Defense to pivot away from aqueous film-forming foam, a fire suppressing agent that coats liquid fuel and prevents it from mixing with the oxygen necessary for combustion.

“Members of the military and their families share an outsize burden from exposure to PFAS contamination,” said Melanie Benesh, EWG legislative attorney and co-author of the report. “The Pentagon must finally own up to its responsibility and clean up this mess it not only helped create but perpetuated for decades.”

Find out what was uncovered at the Joint Base and Earle below the timeline.

Joint Base McGuire-Dix-Lakehurst

Samples from three of 175 private wells surrounding the Joint Base were found to be beyond the federal government's recommended limit on PFAS in drinking water, according to a presentation from the defense department last year.

The tests returned results as high as 24 times the threshold. The Defense Department pledged to pay for the extension of water service to two properties and to continue monitoring elsewhere for the next year, reads the summary document from 2017.

A spokeswoman for the Joint Base could not immediately respond to questions.

Naval Weapons Station Earle

At Earle, 13 of 18 on-base water monitoring wells returned samples above the federal guideline, at least one of which was more than three times the advisory level, according to the 2018 presentation.

Two off-base samples tested above the threshold, indicating an elevated risk to private well water in the immediate area. Residents at those locations were provided bottle water before their homes were tied into the nearest public drinking water system.

In February 2016, the Navy offered to test the well water for homeowners near Earle's fire training center next to the Monmouth County Fire Academy in Howell.

The firefighting foam in question is no longer used at Earle's training center, said Bill Addison, spokesman for the station. Neighbors have nothing to fear, he added.

"At this time, the Navy has found no reason to be concerned," Addison told the USA TODAY NETWORK New Jersey. "NWS Earle's environmental team continues to monitor and test the groundwater in the area of the Military Sealift Fire Fighting School and have found no reason for further (action) at this time."

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NJ ADVANCE MEDIA

The most toxic sites in each New Jersey county

By S.P. Sullivan

March 8, 2019

New Jersey has more places under the federal Superfund program, which prioritizes cleanups of dangerous contaminated sites, than any other state.

Many have histories more colorful than an oil slick: A massive chemical fire at a mob-controlled waste storage facility. Agent Orange in the Passaic River. Local wildlife turned green. And the only site ever to be put on the Superfund list twice.

While many of those sites have been cleaned up, they require longterm treatment and monitoring. With the EPA's budget on the chopping block under President Donald Trump's administration, advocates worry things will backslide for the Superfund, which has already been near-broke for decades.

"Just think about it: We've got over a hundred Superfund sites in this state. We've got 21 counties," former Gov. Jim Florio, who wrote the Superfund law when he was in Congress in the early 1980s, said recently. "Nobody lives very far from these sites."

According to federal data, New Jersey has 115 active Superfund sites as well as 35 additional sites that have been removed from the program.

Superfunds are also far from the only hazardous sites in the state. The state Department of Environmental Protection lists more than 10,000 active sites with confirmed contamination.

Here's a look at Superfunds across the state, organized by county (Mercer is the only county without a Superfund site).

ATLANTIC COUNTY

D'Imperio Property

The 15-acre site, located along the Black Horse Pike in Hamilton Township, is a former illegal dumping ground contaminated with volatile organic compounds. Its status is listed as "under control."

Emmell's Septic Landfill

Located in Galloway Township, the 38-acre site was a dumping ground of septic wastes and sewage sludge between 1967 and 1979. Hazardous materials were found buried in oil drums all over the property. The EPA says there is currently no risk of human exposure after controls were put in place.

FAA Technical Center

Located eight miles north of Atlantic City, this site saw contamination from “FAA and National Guard activities” that tainted soil, sediment and groundwater in the area. The EPA oversaw “short-term” cleanups to contain threats to human health, but long-term cleanup planning is “ongoing.”



(File photo)

Garden State Cleaners

A former dry cleaning facility in Buena Borough contaminated the surrounding soil and groundwater with volatile organic compounds, but the EPA says a major cleanup at the site in the mid-1990s removed the contaminated soil, and a groundwater treatment system for has been in place since 1999.

Price Landfill No. 1

This 26-acre area in Egg Harbor Township was a sand and gravel pit that became a landfill in the late 1960s, and saw more than nine million gallons of chemical waste dumped over more than a decade. The EPA says groundwater treatment and monitoring are “ongoing” but human hazards are “under control.”

South Jersey Clothing Company

This site in Buena Borough once housed a clothing company that made military uniforms. The manufacturing process included discharging water that was tainted with trichloroethylene (TCE), a common toxic chemical associated with dry cleaning. A fire in the 1970s may also have released nearly 300 gallons of TCE into the ground.

The EPA says the contaminated soil is cleaned up but groundwater treatment and monitoring are “ongoing.”



BERGEN COUNTY

Garfield Groundwater Contamination

The former E.C. Electroplating company's activity at this Garfield site spilled and leaked cancer-causing chromium into the ground, creating a plume of groundwater contamination at least a half a mile wide. One of New Jersey's orphan sites, the EPA hasn't identified a funding source for a cleanup, and says there's "insufficient data" to measure the risk it poses to the surrounding community.

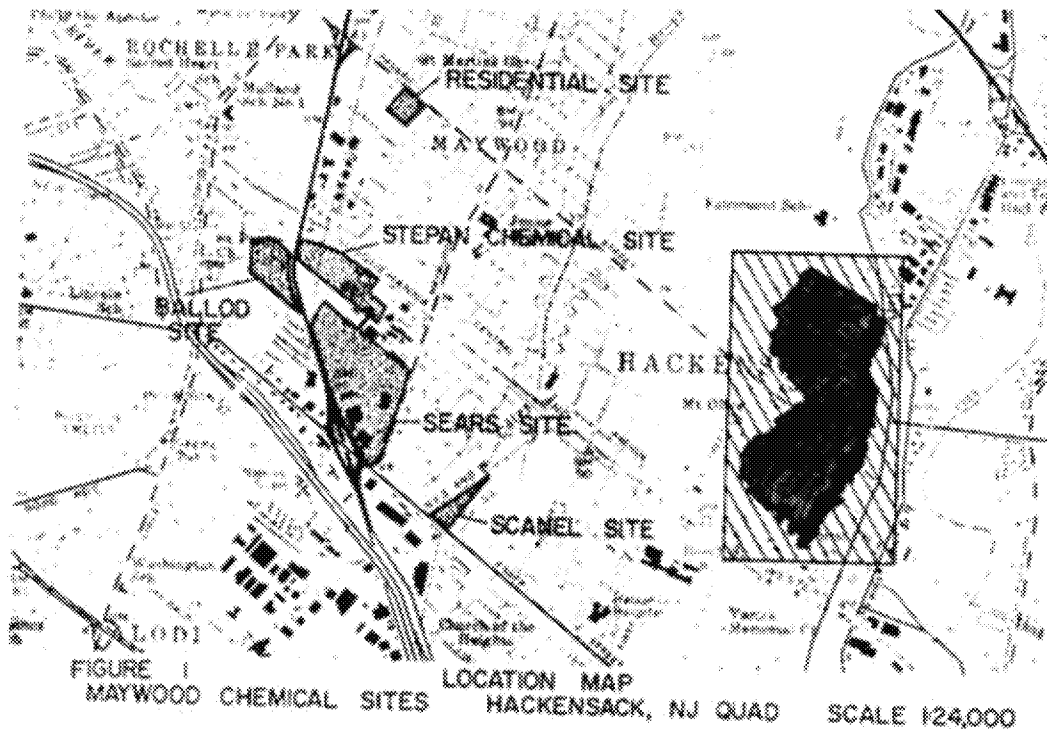
The city's mayor appeared in front of a U.S. Senate hearing to plead for federal dollars for the site in 2014, but the cleanup still lacks funds.

Curcio Scrap Metal, Inc.

This active scrap metal yard in Saddle Brook saw a spill of oil containing PCBs in the 1980s and a major cleanup project in the 90s. Because of the nature of the work done there, it was also contaminated with heavy metals and volatile organic compounds, according to the EPA. Soil cleanup was completed long ago but groundwater cleanup is ongoing.

Fair Lawn Well Field

This site includes three municipal drinking water wells in the Bergen County borough. Volatile organic compounds were detected in the water in the late 1970s and traced to a nearby industrial park. Monitoring is ongoing, but the EPA says it has "insufficient data" to determine the site's threat to human health.



Maywood Chemical Co.

The Maywood Chemical Works processed radioactive thorium ore from 1916 to 1955. The work generated chemical and radioactive waste.

The site is being cleaned up by the U.S. Army Corps of Engineers and the company deemed responsible for the contamination. Cleanup of radioactive soil is "underway" and the rest of the plan is "in development," according to EPA.

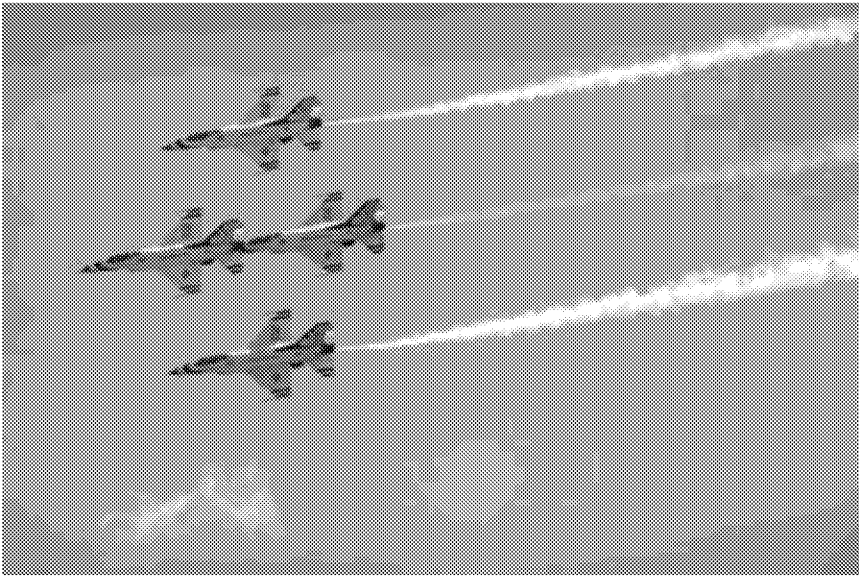
Quanta Resources Corporation

This site saw nearly a century of coal tar, paving and roofing material production along what was once an industrial wasteland along the Hudson River. Now surrounded by booming waterfront development, the EPA is overseeing cleanup of PCBs and other contaminants, but says it has “insufficient data” to determine the site’s threat to human health.

Berry’s Creek Study Area

A small chunk of the Meadowlands in Bergen County is home to three distinct Superfund sites along Berry's Creek, a six-mile tributary of the Hackensack River. The area includes the Scientific Chemical site in Carlstadt, Universal Oil Products site in East Rutherford and the Ventron/Velsicol site, which spans Wood-Ridge and Carlstadt.

All three sites are laden with PCBs and Berry's Creek is considered among the most mercury-laden locations in the country. Only the Scientific Chemical site is listed as “under control.”



(Michael Mancuso | NJ Advance Media)

BURLINGTON COUNTY

McGuire Air Force Base

This active military facility is also a federal Superfund site. “Past activities at MAFB in support of operational missions created a number of waste sources of potential environmental concern,” according to the EPA. “Site investigations and long-term cleanup are ongoing.”

Cinnaminson Groundwater Contamination

Covering 400 acres in the Cinnaminson and Delran in Burlington County, this former mining and landfill site is contaminated with arsenic and volatile organic compound. Cleanup is “ongoing,” according to the EPA, but the site “does not pose an immediate threat to human health or the environment.”

Cosden Chemical Coatings Corp.

This former paint factory in Beverly was in operation from 1945 until 1989 and was contaminated with volatile organic compounds and PCBs. Controls were put in place a decade ago and the site is not believed to pose a threat of human exposure, according to the EPA.

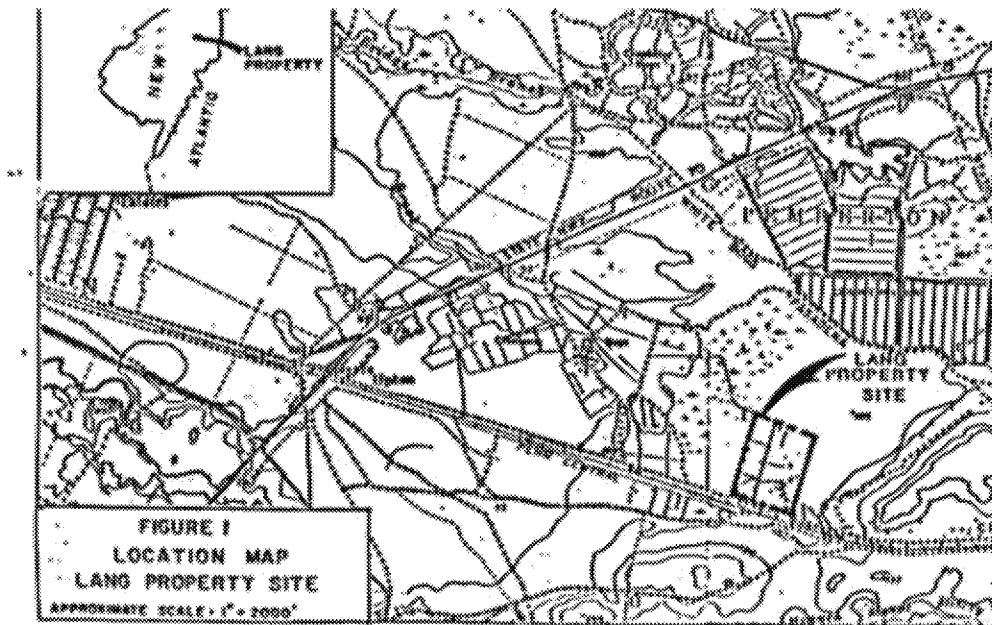
Ellis Property

Originally a dairy farm in Evesham and Medford townships, the site also contained “drum storage and reconditioning operations.” The EPA says more than 300 barrels and drums containing unspecified liquids spilled into the ground at the property, leaving behind trichloroethylene and other contaminants. Cleanup began in the early 1980s and controls are currently in place.

Ewan Property

This 43-acre site in Shamong Township was a waste disposal property in the mid-1970s and was laden with a smorgasbord of pollutants including acetone, toluene, xylene, trichloroethylene, semi-volatile compounds and heavy metals such as arsenic, chromium and aluminum.

The site was listed as a Superfund site in the mid-80s due to groundwater contamination threatening nearby drinking water supplies. It is currently listed as “under control.”



(EPA)

Lang Property

This 40-acre site in Pemberton Township was for many years an illegal dumping ground littered with abandoned vehicles, tires and more than 1,200 drums of unidentified chemical waste. After property owners discovered the drums in the 1970s, they dumped their contents into unlined pits around the site, according to the EPA. Long term monitoring is “ongoing.”

Kauffman and Minter, Inc.

Located in Jobstown, this former industrial transportation facility was polluted over two decades by tainted wastewater containing hazardous substances. In 1984, a dike containing a lagoon of wastewater broke, sending the harmful substances into nearby wetlands, including the Wenonah-Mount Laurel aquifer, a source of drinking water for the region.

The EPA put a long-term cleanup plan in place, which is “ongoing.” The agency says the site doesn’t pose a threat of human exposure.

Landfill and Development Company

A sprawling 200-acre landfill that collected everything from demolition debris and municipal garbage to commercial solid waste, the site also used to treat sewage sludge until the mid-80s.

“Long-term groundwater extraction and monitoring is ongoing,” according to the EPA. “Under current conditions at the site, potential or actual human exposures are under control.”

Roebling Steel Company

Located along the Delaware River in Florence Township, this sprawling 200-acre campus was the site of steel and wire manufacture and other industrial activities for decades. That legacy of industrial production left behind a litany of pollutants, from contaminated dust and debris to sludge lagoons and an abandoned landfill.

“Following initial actions to protect human health and the environment, EPA is addressing the site’s long-term cleanup in stages,” according to the EPA. “Under current conditions at the site, groundwater migration is under control.”

Woodland Township dumps

Two dumps in Woodland Township located about two miles apart are listed separately on the federal Superfund list. The Route 72 site is an inactive industrial dump containing chemical contaminants, which was found by the EPA to be emitting gamma radiation. The Route 532 site is an inactive chemical waste dump that saw rampant illegal dumping. Controls are in place at both sites and the EPA says they don’t pose an immediate threat to human health.



(File photo)

CAMDEN COUNTY

GEMS Landfill

This town-owned landfill in Gloucester Township operated from 1969 until it was shut down by the state in 1980. It was placed on the National Priorities List in 1983 and a major cleanup was done in 2004, according to the EPA, which says “long-term cleanup operation and maintenance” is “ongoing.”

Lightman Drum Company

Located in Berlin, this 15-acre site used to be an industrial waste hauling and drum reclamation business. Drums containing hazardous chemicals were dumped in a pit on the site, contaminating soil and groundwater. The EPA says it oversaw short-term remediation and a long-term cleanup is “ongoing.”

Martin Aaron, Inc.

Another drum reclamation site, this parcel is located in a densely populated section of the city of Camden. According to the state Department of Environmental Protection, authorities discovered “hundreds of improperly stored drums of hazardous wastes” in the late 80s. The owner of the property later went bankrupt.

According to the EPA, “actions to remove immediate hazards to human health and the environment have concluded, and activities are now focused on the long-term remediation of the site.”

Puchack Well Field

This city-owned site contains six wells where contamination, including chromium and volatile organic compounds, was first detected in the 1970s.

“All of the groundwater wells have been shut down and residents have been connected to a municipal water supply, reducing the public’s potential exposure to contamination,” the EPA says. “Sampling indicates that currently operating municipal wells are not being affected by the chromium groundwater plume.”

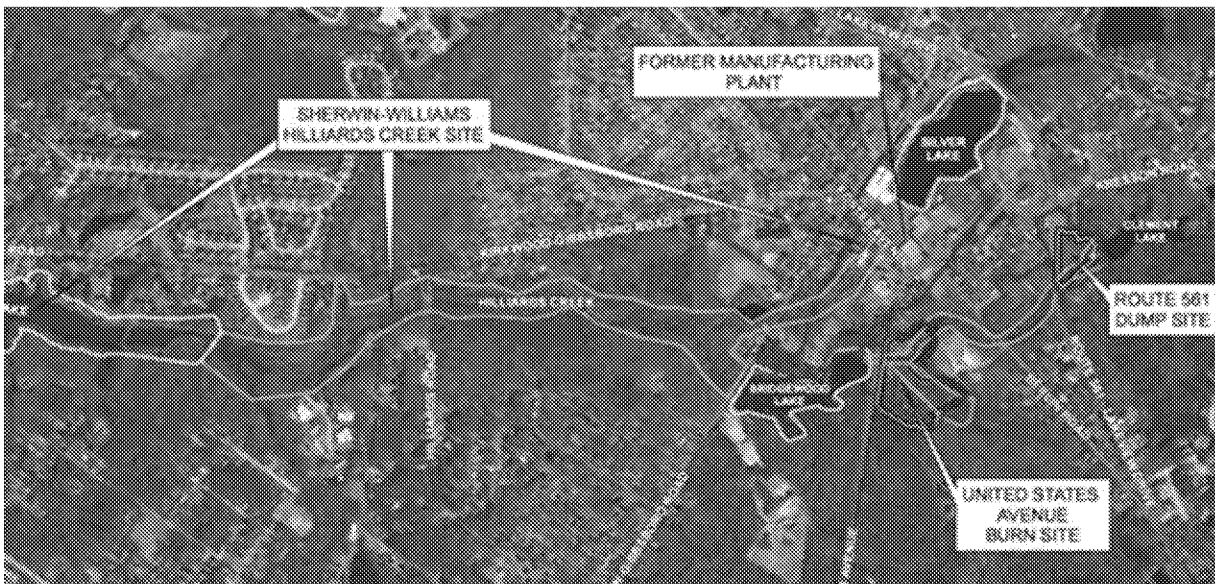
Swope Oil & Chemical Company

This small Pennsauken site was once home to a chemical reclamation facility in the 60s and 70s. It processed solvents, oil, paints and other chemical compounds, which tainted the soil and groundwater.

“Site cleanup and monitoring are ongoing,” the EPA says. Human exposure is believed to be under control.

King of Prussia

According to the EPA, two companies treated industrial waste and disposed of hazardous liquids at this site in the early 1970s, treating approximately 15 million gallons of wastewater before it was abandoned in 1975. It was fenced off in the late 80s “to protect public health and prevent further illegal dumping of waste on the site” and the EPA oversaw an initial cleanup and long-term plans. “Groundwater treatment is ongoing,” the EPA says.



(EPA)

Sherwin-Williams sites

A chain of sites once connected to the Sherwin-Williams paint company are either active Superfunds or are under consideration. The sites, located in Gibbsboro and Vorhees, include two former dumping grounds and a paint, varnish and lacquer manufacturing facility.

They include the Sherwin-Williams/Hilliards Creek site, the United States Avenue burn site and the proposed Route 561 dump site.

Welsbach & General Gas Mantle

Two former incandescent gas mantle manufacturing facilities in Camden and Gloucester caused “extensive radiological soil contamination” on this sprawling Superfund listing spanning six distinct areas in the two cities. According to the EPA, the production process involved the use of thorium and radium, which give off gamma radiation. The sites are no longer considered an immediate threat to human health, but cleanups are “ongoing.”

CAPE MAY COUNTY

Williams Property

Located in Middle Township, this 5.6-acre tract saw about 150 drums of liquid chemical wastes and sludge dumped there in the late 70s, tainting soil and groundwater with hazardous chemicals. Groundwater treatment and monitoring are ongoing, according to the EPA.



(Stephanie Maksin | For NJ Advance Media)

CUMBERLAND COUNTY

Kil-Tone Superfund

The former Kil-Tone Company produced arsenic-based pesticides from the late 1910s into the late 1930s, leaving behind elevated concentrations of arsenic and lead. A new entry to the Superfund program, the site was listed in April 2016. The EPA says there is "insufficient data" to assess the threat of human exposure.

Iceland Coin Laundry

The former Iceland Coin Laundry and Dry Cleaning facility in Vineland was in business from the 1950s into the 70s, during which time coin-operated dry cleaning units drained wastewater containing tetrachloroethene into cesspools on the property. The facility wasn't hooked up to a sanitary sewer system until 1986, according to the EPA. The contamination affected nearby drinking water supplies, but is now believed to be "under control."

Vineland Chemical

This area of mixed industrial and residential areas and farmland was once home to the Vineland Chemical Company, which produced arsenical herbicides and fungicides, contaminating the land and groundwater with arsenic.

"After immediate actions to protect human health and the environment, the site's long-term cleanup is ongoing," the EPA says.

Nascolite Corporation

Located in Millville and Vineland, this site was home to a facility that produced plexiglass from the 1950s into the 80s.

"Operators stored waste residues from the distillation of scrap acrylic in buried tanks on site," the EPA says. "Liquid wastes leaked from the underground tanks into the surrounding soils and groundwater." The site is not believed to pose a threat of human exposure.

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ESSEX COUNTY

Newark Bay Study Area

One of New Jersey's most notorious Superfunds, the Passaic River and Newark Bay watershed has a long industrial legacy and a series of contaminated sites.

The Diamond Alkali Superfund site is a former Newark manufacturing facility where the Vietnam War-era chemical Agent Orange was once produced. The EPA is moving forward with a massive, billion-dollar plan to pull thousands of cubic yards of contaminated muck from the river.

Pierson's Creek site

Pierson's Creek is New Jersey's newest Superfund site after it was listed in 2014.

The creek, contaminated with mercury and other harmful pollutants, sits next to a plant operated by the Troy Chemical Corp. since the 1950s. According to the EPA, the company allegedly dumped untreated wastewater into the creek between 1956 and 1965, leaving the sediment laden with high levels of mercury. The company maintains other industries along the creek contributed to the pollution.

No cleanup plan has been put in place and the agency says there's "insufficient data" to gauge the threat to human health.

White Chemical Corporation

This Newark facility saw the production of acid chlorides and flame retardant compounds throughout the 1980s. The company was cited by the state DEP for violations and shut down in 1990. The EPA oversaw contaminated soil removal and is "nearing completion" on a groundwater plan.

Riverside Industrial Park

A seven-acre site used for a range of industries including paint manufacturing, a packaging company and a chemical warehouse since the early 20th century, the area was added to the Superfund list in 2013 after an oil spill into the Passaic River revealed the full extent of the contamination.

"Cleanup activities to date include immediate actions to stop the river discharge, secure the source and eliminate the immediate threats," the EPA says. "Additional investigations and planning for the site's long-term cleanup are ongoing."

U.S. Radium Corp.

The U.S. Radium Corp. operated a now-notorious factory in Orange that poisoned workers by using to the radioactive material to produce glow-in-the-dark watch faces and other products from 1917 to 1926.

The female workers at the plant and similar facilities around the country became known as the "Radium Girls" and their plight led to better employee protection laws. The plant was shut down and demolished, but contaminated materials from the site were used in the construction of hundreds of homes in the area.

The EPA declared a decades-long, \$218 million cleanup of the site finished in 2009. The Star-Ledger reported at the time that the site could soon be delisted, but the agency now says groundwater monitoring is "ongoing."

Orange Valley Regional Ground Water Contamination

The Orange Valley Regional Ground Water site, which includes two public-supply wells, provided drinking water to 10,000 people, according to the EPA. It was listed on the NPL in 2012 after testing found groundwater contaminated with common industrial chemicals linked to liver problems and various cancers.

"Site investigations are ongoing," the agency says. "A treatment system is already in place for the Orange Water Department to remove site-related contaminants and provide the community with safe drinking water."

Caldwell Trucking Company

Located in Fairfield, this site saw widespread residential, commercial and industrial septic pollution. "Immediate actions to protect human health and the environment and soil cleanup have been completed," the EPA says. "Long-term groundwater cleanup is ongoing."

Unimatic Manufacturing Corporation Site

Unimatic operated a metals molding facility at this Fairfield site from 1955 until 2001, discharging wastewater through leaky pipes that allowed PCBs to seep into the ground. The facility was so contaminated that state and federal health officials convinced another company that had been operating on the site to move its employees elsewhere in 2013.

In 2016, the EPA announced plans to demolish a building and remove contaminated soil from the site. Currently, its human exposure risk is unknown.



(Star-Ledger file photo)

GLOUCESTER COUNTY

Lipari Landfill

The Lipari Landfill was once ranked the most toxic dump in America — so polluted that federal officials gathered at the Pitman site in 1983 to announce the new federal program that came to be known as Superfund.

According to the EPA, from the 1950s into the 70s, the landfill accepted three million gallons of liquid wastes and 12,000 cubic yards of solid wastes, including paints, thinners, solvents and other industrial byproducts. Those pollutants seeped into surrounding marshland and bodies of water, prompting officials to close nearby Alcyon Lake.

Decades later, the contamination is contained, but the cleanup is ongoing.

Hercules, Inc. (Gibbstown Plant)

Once the site of a hydroperoxide/dicumyl peroxide manufacturing facility that operated until 2010, waste materials from the plant were disposed in unlined pits, tainting the soil and groundwater with heavy metals and volatile organic compounds.

Contamination around the plant's solid waste disposal area has been remediated, the EPA says, but a remedial investigation and feasibility study for the rest of the site is still "underway"

Matlack, Inc.

Listed in 2013, this site includes a former truck, trailer and tanker-washing facility where contaminants and cleaning solutions were stored in an unlined lagoon, tainting soil and groundwater with volatile organic compounds and PCBs. "Site investigations and planning for the site's cleanup are ongoing," the EPA says.

Matteo & Sons Inc.

This site consists of an active scrap metal recycling facility, junkyard and inactive landfill in West Deptford, where soil and groundwater contamination led to its addition to the Superfund list in 2006.

In 2016, the EPA announced it was expanding the footprint of the site after buried battery casings and contaminated soil were discovered in residential areas around the original site, raising serious lead contamination concerns.

"Site investigations and planning for the site's cleanup are ongoing," the agency says.



(Matt Gray | For NJ.com)

Shieldalloy Metallurgical Corp.

This Newfield location was once home to a specialty plant where chromium alloy and other materials were produced. Wastewater disposal led to groundwater contamination and the soil was contaminated with heavy metals, according to the EPA. "After initial actions to protect human health and the environment, site investigations and cleanup are ongoing," the EPA says, but the agency has "insufficient data" to assess the threat to human health.

Bridgeport Rental & Oil Services, Inc

This 30-acre property in Logan Township was home to a waste oil storage and recovery facility from 1960 into the early 80s. It included a "tank farm" and waste lagoon believed to have held 2.5 million gallons of oil tainted with PCBs, 80,000 cubic yards of sludge and 70 million gallons of contaminated wastewater, according to the EPA, which says the long-term cleanup is "ongoing."

Chemical Leaman Tank Lines

Consisting of an industrial tanker terminal and 40-plus acres of wetlands, this site was once a facility used to wash tanker trucks. Until the mid-70s, wastewater from the facility was stored in lagoons and ultimately released into nearby swamps and waterways, polluting the area with carbon tetrachloride and volatile organic compounds. The contamination is believed to be "under control," according to the EPA.

Franklin Burn site

This Franklin Township site is actually made up of seven separate subsites where the EPA says copper wire was burned to remove insulation so the copper could be sold for scrap, leaving behind contaminated ash and debris piles.

"Following response actions to protect human health and the environment, EPA determined that residual contamination levels do not pose an unacceptable risk," the EPA says. "Further cleanup is not required."

Helen Kramer Landfill

This landfill shut down in 1981, but not before operations there contaminated groundwater with harmful chemicals. Following cleanup, long-term operation and maintenance activities for the site's remedy are ongoing," the EPA says.



(Lauren Casselberry/The Jersey Journal)

HUDSON COUNTY

PJP Landfill

The PJP Landfill was on fire for decades. Literally. In 1985, the Jersey Journal reported local and state authorities were trying in vain to tamp down the smoldering fires that had burned through the abandoned dump for years.

The site has since been capped and in 2012, Jersey City officials moved to have the area pulled from the Superfund list so they could build a park atop once was the smoldering dump. That still hasn't happened.

Diamond Head Oil Refinery

This Kearny site was once a waste oil reprocessing facility that discharged its own waste product into the Meadowlands during its operations from the late 1940s into the late 70s, creating what the EPA called an "oil lake."

The agency says it's in the "remedial investigation/feasibility study" phase of cleanup.

Standard Chlorine Chemical Company and the Hackensack River

This 42-acre site sitting between the Belleville Turnpike and Hackensack River in Kearny saw production of a host of household and industrial products, including moth balls, drain cleaners and lead acid batteries, according to the EPA.

The toxic runoff found its way into the Hackensack River, where fish consumption warnings advise against eating any fish or shellfish. The river itself is also under consideration for Superfund status.

Syncon Resins

This South Kearny facility made products used in pigments, paints and varnishes, and wastewater tinged with toxic xylene and toluene caused "extensive contamination of the groundwater, soil, buildings, vessels and tanks," according to EPA.

"The site's groundwater treatment system is currently operating," the agency says. "Current human exposures at the site are under control."



(Stephen Flood / Express-Times)

HUNTERDON COUNTY

Curtis Specialty Papers

A former paper mill along the Delaware River in the Borough of Milford and Alexandria Township, the facility reported several spills on the property and received citations for unpermitted discharges and other infractions before it was shut down in 2003. A former landfill used by the mill was also a Superfund site, but was delisted in 2015.

The Curtis site includes fenced-off dilapidated buildings and other structures where, in 2016, a woman fell to her death from a catwalk while exploring the property with friends.

DeRewal Chemical Company

This site was used by the DeRewal Chemical Company to store chemicals in the early 1970s. A series of spills, including a tanker of chromium solution, contaminated soil and groundwater. The cleanup is listed as "ongoing."

Myers Property

This site includes land owned by Arkema Inc. as well as two acres owned by the state of New Jersey, according to the EPA. It was once home to a pesticide production facility. The EPA is overseeing treatment and monitoring of groundwater.

EPA

MIDDLESEX COUNTY

Raritan Bay Slag

The Laurence Harbor seawall was built up using lead slag in the late 1960s and 70s, contaminating the beach of the Raritan Bay in Old Bridge and Sayreville, according to the EPA. The agency approved a \$79 million cleanup plan in 2013, but the company deemed responsible for the contamination argued the state should kick in for the cleanup because state regulators had approved the seawall construction.

Atlantic Resources Corporation and Horseshoe Road

These two separate but related sites were among those named by federal officials during a 2014 hearing in Washington on the dire state of the Superfund program.

An EPA official told Sen. Cory Booker and other lawmakers the agency had spent \$46.5 million cleaning up the sites, located near each other in Sayreville, and the agency would need another \$34 million to finish the job.

Chemsol, Inc.

Located in Piscataway, this former solvent recovery and waste reprocessing facility saw "numerous accidents, fires and explosions" in the 1950s and 60s, polluting the surrounding air, soil and groundwater.

"Following several short-term cleanups to protect human health and the environment, the site's long-term cleanup is ongoing," the EPA says.

Cornell Dubilier Electronics, Inc.

Cornell Dubilier Electronics, Inc. produced electronic components at this 26-acre South Plainfield site from 1936 to 1962, according to the EPA. On-site disposal activities led to "widespread contamination" of PCBs, metals and volatile organic compounds that continues to this day.

The EPA lists its human exposure risk as "not under control."

CPS/Madison Industries

Comprised of two manufacturing facilities across 35 acres in Middlesex, this site saw decades of industrial activity in which the EPA says operators "improperly handled and disposed of hazardous substances, including discharges into the public sewer system, resulting in soil and groundwater contamination."

But the agency says there is still "insufficient data" to assess the risk posed by the site.



(Star-Ledger file photo)

Chemical Insecticide Corporation

Another of New Jersey's most notorious Superfund sites, this small Edison site saw the production of bug and weed killers in the 1950s into the 70s.

Located in a residential neighborhood, it became a posterchild for orphan Superfunds when the Edison Wetlands Association, an environmental advocacy group, raised the alarm about the "green rabbits" located at the site. Robert Spiegel, the group's director, even testified before the U.S. Senate about finding the animals, who "had developed an abnormal greenish yellow undercoat" from prolonged exposure to a pesticide dumped around the site.

Former Gov. Christie Whitman, during her tenure as head of the EPA, held a press conference at the site (pictured above) to reaffirm the agency's commitment to a cleanup. Members of the environmental group staged a protest nearby.

After decades of stalled cleanups, the site was converted into a dog park, which opened last year. It remains listed as a Superfund, according to the EPA, although its exposure status is listed as "under control."

Evor-Phillips Leasing Company

This site was operated by a series of waste treatment and disposal businesses, which included incinerators that burned film and printed circuit boards and containment vessels for acid waste. Those contaminants found their way into the groundwater, forcing nearby residents to stop using private wells, according to the EPA.

Fried Industries, Inc.

The company produced floor finishing products, detergents and other products for a quarter century at this Milltown location, contaminating nearby wetlands. The EPA says it is now "under control."

Global Landfill

This former solid waste landfill was littered with buried drums "containing paint, paint thinner and various solvents," according to the EPA.

"Groundwater underneath the site has been contaminated by pollutants leaching from the landfill," the EPA says of the site. "Under current conditions at the site, potential or actual human exposures are under control. The site's long-term cleanup is ongoing."



(Star-Ledger file photo)

Kin-Buc Landfill

Located across 220 sprawling acres in Edison, this site was once a state-approved landfill for industrial and municipal wastes, which began operating in the 1940s. One of the earliest entries onto the National Priorities List, the EPA claims that “all remedial actions at the site have been completed, and operations and maintenance is ongoing.”

Jones Industrial Services Landfill (JIS)

Once an active landfill in South Brunswick from the 1950s into the 80s, this site was capped in the mid-80s. But groundwater in the area was left contaminated with metals, pesticides and volatile organic compounds, according to the EPA. A long-term remedy was completed in 2009.

“Ongoing activities include long-term operation and maintenance of the site’s groundwater treatment system, monitored natural attenuation and implementation of institutional controls,” the agency says.

Middlesex Sampling Plant

Opened in the 1940s, this site was part of the U.S.'s early nuclear energy infrastructure and was used to store and test nuclear materials including uranium, thorium, and beryllium.

It came under the control of the federal Department of Energy in 1980 and has seen a series of cleanups since then. Its status is listed as “under control.”

Woodbrook Road Dump

Sitting near the Dismal Swamp, a protected wetland, the Woodbrook Road Dump collected household wastes until it was shut down by the state in the 1950s. In 1999, “partially buried, leaking capacitors” were found on the property and an EPA investigation later found the soil in the area was tainted with PCBs.

The EPA announced a \$24 million cleanup plan in 2013. That plan is listed as being in the “remedial design phase.”



(EPA)

MONMOUTH COUNTY

Imperial Oil

From 1969 into the 2000s, the Imperial Oil Company ran an oil blending facility at this Marlboro Township site, leaving soil and groundwater tainted with hazardous chemicals. In 2012, EPA officials announced they had spent \$50 million 25 years to remove 4,600 gallons of oil and 180,000 cubic yards of tainted soil. The site is now listed as being “under control” but monitoring is ongoing.

Bog Creek Farm

This former Howell farm included a dumping ground for organic solvents and paint products that made their way into a pond, bog and trench on the property.

“To date, cleanup has included the removal of disposal pit wastes and disposal and incineration of contaminated soils and sediment,” the EPA says. “Groundwater treatment is ongoing.”

Burnt Fly Bog

Once among the 10 worst Superfunds in the state, Burnt Fly Bog consists of a huge 1,700 acres at the edge of the pine barrens. Recycled waste oil operations and the presence of a former landfill tainted soil, sediment and surface water on the property. In 1986, a state environmental official told The New York Times they’d encountered “every conceivable pitfall” while trying to clean up the site.

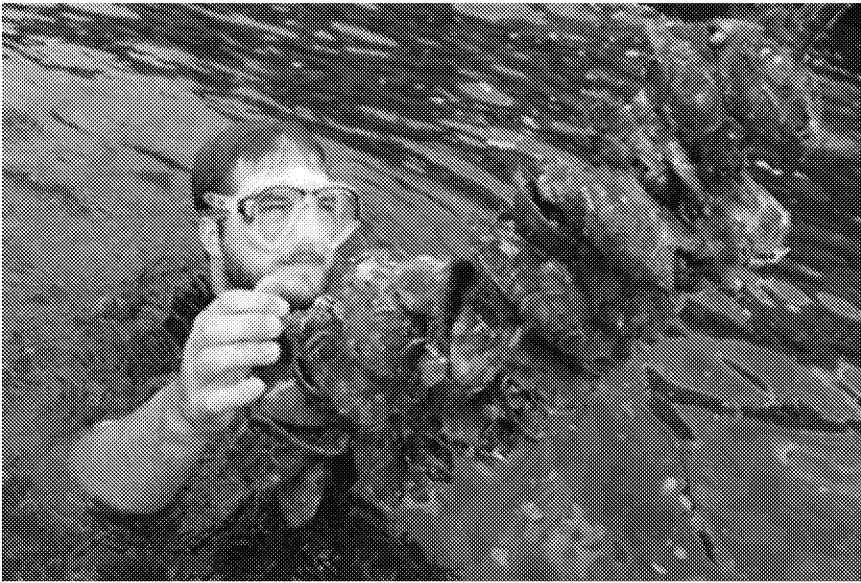
After getting the direct human exposure risk “under control,” the EPA says a contractor is “reviewing historical documents and preparing a work plan” for a final phase to remove PCBs and other harmful pollutants. “The entire process should run for about two years,” the agency said in 2016.

Lone Pine Landfill

Another of New Jersey’s most notorious sites, this 45-acre former landfill once contained “at least 17,000 drums and several million gallons of bulk liquid chemical wastes” of unknown origin, according to the EPA.

Three men, including two officials from a waste treatment firm, received prison sentences for a scheme to illegally dump on the property in 1983. That same year, a story in the New York Times declared the site “a peril to aquifers.” But in

1994, the EPA held a press conference at the site to unveil the new water treatment facility built to clean groundwater that had been tainted by harmful chemicals. However, to this day the EPA continues “operation and maintenance activities” at the site.



(S.P. Sullivan / NJ Advance Media)

Naval Weapons Station Earle

The U.S. Navy has stored and maintained munitions at this facility since the 1940s, and the federal government has identified 27 “areas of concern” around the site, according to the EPA.

Unrelated to the EPA’s activity, the environmental group NY/NJ Baykeeper maintains an experimental oyster bed on the base, where they are studying the ability of the shellfish to clean up contaminated waterways.

Waldick Aerospace Devices

This two-acre site was once home to a manufacturing and plating facility for the aerospace industry. In the early 1980s, state investigators found wastewater and used machine oil was being discharged directly onto the ground, tainting the soil and groundwater with heavy metals, acids and volatile organic compounds.

The Wall Herald Corp. agreed in 2010 to pay \$20 million for the cleanup. The EPA has its long-term remedy in place but monitoring at the site is “ongoing.”

Monitor Devices

From 1977 to 1981, Monitor Devices/Intercircuits Inc. built circuit boards at this cite, generating wastewater laden with copper, lead, solvents and acids. The wastewater was dumped around the property and other containers of waste were improperly stored, contaminating the groundwater in the area, according to the EPA.

White Swan Cleaners/Sun Cleaners

To dry cleaning businesses operated over three decades at this Wall Township site where inspectors found wastewater and used machine oil was being discharged directly onto the ground in 1982, according to the EPA.

An EPA official called the presence of volatile organic compounds linked to liver damage and cancer an “astonishing toxic legacy” that would cost nearly \$20 million to fix. The human exposure status is listed as “under control” but the agency has had to install air ventilation systems at 35 buildings within the contamination plume and its longterm cleanup is “ongoing.”

Zschiegner Refining Company

This site is a former metals refining facility where activities contaminated soil, sediments and groundwater as well as a building on the property.

“Cleanup of the site was completed in 2008, and post-construction groundwater and wetland restoration monitoring is ongoing,” the EPA says.



(Robert Sciarrino | NJ Advance Media)

MORRIS COUNTY

Combe Fill South Landfill

The Combe Fill South Landfill was a municipal landfill in Chester and Washington townships that operated from the 1940s into the 80s.

“Procedures at the landfill during its operation violated many of the New Jersey solid waste administrative codes, leading to groundwater contamination with volatile organic compounds,” the EPA says.

A federal judge approved a \$100 million settlement with hundreds of companies, towns and other entities deemed responsible for the contamination in 2009. New Jersey Hills reported in 2015 that a carcinogenic chemical had been detected in a household well near the site.

Dover Municipal Well #4

This town well was shut down in the 1980s after chlorinated volatile organic compounds were detected in the water. The source was traced to a dry cleaner, which was later demolished. The EPA says the site doesn’t pose a threat as long as the well isn’t used as a source of drinking water.

Dayco Corp./L.E. Carpenter Company

A former vinyl wall covering manufacturing facility that operated in Wharton and dumped wastes into unlined lagoons, this site is contaminated with volatile organic compounds, some of which have found their way to the nearby Rockaway River. The EPA says the initial cleanup is done but “long-term cleanup activities are ongoing.”



(Robert Sciarrino | NJ Advance Media)

Picatinny Arsenal

This active U.S. Army weapons research and development facility has a history of explosives manufacturing going back to the mid-1800s.

“As part of the site’s cleanup, contaminated soils have been removed or capped, groundwater remedies are in place, and land use controls have been put in place, limiting the potential for exposure to hazardous wastes,” the EPA says of the site. “Cleanup activities and monitoring are ongoing.”

Radiation Technology

Located in Rockaway, this site saw a number of uses since the 1970s, including the rocket testing and development and radiation sterilization. The EPA claims the company “improperly stored and disposed of waste drums containing solvents and other organic chemicals on site,” tainting soil and groundwater.

In 2013, the agency removed 75 drums and containers of hazardous waste from the site and the following year demolished dozens of buildings on the property, which is located near the arsenal.

Rockaway well sites

The sister communities of Rockaway Township and Rockaway Borough each contain a separate Superfund site involving municipal wells. Both sites are roughly two square miles, with contamination tied to industrial activity in the town. The EPA lists both sites as being “under control.”

Rolling Knolls Landfill

For three decades, this site was used as an unlined landfill, tainting soil, groundwater and surface water with metals, PCBs, pesticides and other pollutants. According to news reports, there were unsuccessful efforts to convert the site into a solar farm in 2009 and 2010.

Site investigations are “ongoing,” according to the EPA, and the threat posed by the site is unknown.

Sharkey Landfill

Located in the townships of Parsippany-Troy Hills and East Hanover, this 90-acre landfill accepted municipal wastes as well as commercial, industrial and hazardous waste materials, contaminating soil and groundwater with hazardous chemicals, according to the EPA.

"After site investigations, the site's long-term remedy was put in place," the agency says. "Operation and maintenance activities at the site are ongoing."

OCEAN COUNTY

Ciba-Geigy and Reich Farm

These two Superfund sites in Toms River were the subject of the Pulitzer Prize-winning book "Toms River: A Story of Science and Salvation" by journalist Dan Fagin.

The former paint and pigment factory and the small farm that became an industrial dumping ground attracted public scrutiny amid a spike in childhood cancers in Toms River that residents tried for years to connect to contamination of the town's drinking water.

Treatment systems at the Ciba-Geigy site now process 1.2 million gallons of groundwater a day, according to the EPA. Last year, Dow Chemical asked the EPA if it could cease testing at the Reich Farm site, but the agency declined, according to the Asbury Park Press.

Goose Farm

Located in Plumsted Township, this site was owned by a manufacturer of rocket fuel propellant and other industrial products that were dumped into a pit dug into the sand, according to the EPA.

"Soil cleanup has been completed. Long-term groundwater treatment is ongoing," the agency says. "Under current conditions at the site, potential or actual human exposures are under control."

Naval Air Engineering Center

An active Navy site in Lakehurst, the federal government has identified 44 potentially contaminated areas on the property.

"The areas included landfills, open pits, unlined lagoons and drainage ditches. Construction of the site's long-term remedies has been completed," the EPA says. "Groundwater treatment and monitoring are ongoing."

Brick Township Landfill

For 30 years, this landfill took in sewage, septic tank waste, solids and bulk liquids. In the 1970s, chemical wastes were also dumped on the site. By 2013, the site had been cleared and an impermeable cap was placed over the landfill, according to the EPA. The following year, the town installed solar panels on the site, and the agency continues to monitor groundwater.

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PASSAIC COUNTY

Ringwood mines

This site in Ringwood is the only ever to be deleted from the National Priorities List only to be relisted. The Ford Motor Company dumped toxic paint sludge and other wastes from its Mahwah factory into abandoned mines in the Ramapo Mountains, endangering nearby communities, including members of the Ramapough Lenape Indian Tribe.

After an investigation from The Record newspaper in 2005, the EPA re-listed the site, but Ford and the borough, both responsible parties in the cleanup, have resisted efforts to remove all of the contamination from the mines and a connected landfill site, preferring to cap it in place. The EPA says the threat to human health posed by the site is still "not under control."

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NJ ADVANCE MEDIA

Trump's latest EPA pick works for company linked to NJ Superfund site

By Michael Sol Warren

March 8, 2019



The candidate that President Donald Trump has picked to oversee the cleanup of Superfund sites around the country is currently employed by one of the companies responsible for some toxic sites in N.J.

On March 2, the Trump administration announced that Peter Wright had been nominated to lead the Environmental Protection Agency's Office of Land and Emergency Management. That office is responsible for overseeing the cleanup of Superfund sites, the nation's most toxic and polluted areas.

New Jersey currently has 114 designated Superfund sites, more than any other state in the nation.

"Peter is exceptionally qualified to lead the Office of Land and Emergency Management," said EPA Administrator Scott Pruitt in a press release. "He has the expertise and experience necessary to implement our ambitious goals for cleaning up the nation's contaminated lands quickly and thoroughly."

Since 1999, Wright has worked as a senior attorney for Dow Chemical. In his position with Dow, Wright has worked on the company's cases involving Superfund and pollution remediation according to the EPA.

"Peter Wright has been a valuable member of Dow's legal team with a focus on environmental, regulatory, operations and commercial matters for the past 18 years," Dow spokeswoman Rachelle Schikorra said in an email.

Wright's long career with Dow has alarmed New Jersey environmentalists.

"This is one of the worst nominations ever made, by even this president," said Jeff Tittel, the director of the New Jersey Sierra Club, in a press release. "Wright spent his career fighting to prevent cleanup of toxic sites as a corporate lawyer for Dow Chemical Company. His nomination is a risk to public health and the environment."

Dow Chemical and its subsidiaries are currently listed as responsible parties for more than 100 Superfund sites around the nation, according to analysis by the Associated Press.

In New Jersey, that includes the Ventron/Velsicol Superfund site and the adjacent Creek Study Area in Wood-Ridge. In its filings with the U.S. Securities and Exchange Commission, Dow describes the Wood-Ridge site as some of the company's "largest potential environmental liabilities." Dow is responsible for \$80 million in remediation expenses on the site as of Dec. 31, 2017; the company spent \$7 million on clean-up at the site last year.

The Wood-Ridge site was home to a mercury processing plant that was operated by multiple companies from 1927 to 1974; first by F.W. Berk and Company, then by the Wood Ridge Chemical Corporation and finally by the Ventron Corporation. Philadelphia-based chemical manufacturer Rohm and Haas, a subsidiary of Dow, is the successor of Ventron.

While the plant was in operation, the various operating companies dumped mercury-contaminated waste on the site, making the soil and groundwater toxic.

The pollution also affected Berry's Creek, a 6.5-mile long creek that flows through Carlstadt, East Rutherford, Lyndhurst, Moonachie, Rutherford, Teterboro and Wood-Ridge before emptying into the Hackensack River. The Wood-Ridge site was placed on the Superfund list in 1984.

Wright's nomination also raises questions among environmental groups like about whether or not other polluted Garden State sites will receive Superfund status.

Of particular interest is a plume of toxic chemicals contaminating the groundwater below hundreds of homes in Pompton Lakes. Residents have renewed a push to have the site placed on the Superfund list after a recently published investigation by NorthJersey.com outlined the extent of the pollution and decades of delayed clean-up action.

The source of the Pompton Lakes pollution is a DuPont factory that operated until 1994. Though the site is now owned by Chemours, DuPont could be listed as a responsible polluter if the site was placed on the Superfund list.

DuPont and Dow merged last year; and environmentalists note it is possible that Wright could be responsible for deciding whether or not his former employer has to spend millions of dollars to clean up Pompton Lakes.

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GLENS FALLS POST-STAR

[Supervisors want village, school to cover delinquent taxes](#)

By Kathleen Phalen-Tomaselli

March 8, 2019

Following a lengthy discussion, the Washington County Board of Supervisors Finance Committee voted in favor of removing two Fort Edward parcels — the former General Electric Co. dewatering site in Fort Edward — from the county real estate tax rolls.

The action, if approved by the full board, would allow the county treasurer to charge back the 2017, 2018 and 2019 delinquent taxes on the two parcels to the village of Fort Edward and Fort Edward Free Union School District.

Thursday's committee decision will go to the full board for a vote on the resolution during the March 15 board meeting.

"I am very proud of my board," said Washington County Treasurer Al Nolette. "They did a really good job representing Washington County."

The measure would liquidate substantial tax liens on the property previously owned by WCC, a D.A. Collins real estate holding company based in Ballston Spa. The property is now owned by the Fort Edward Local Property Development Corp. And the Fort Edward municipality and school district would have to pay those taxes back to the county.

Prior to the committee vote, Fort Edward village Mayor Matt Traver said the charge-back option, also known as an 1138, would be a huge hit to the village.

"We knew the day of reckoning would come ... but the numbers are staggering," he said. "I don't think the 1138 is the way to go."

For the past several years, WCC did not pay the real estate taxes on the two parcels, claiming the assessment was too high. And in 2016, WCC filed an egregious tax assessment challenge against Fort Edward town, village, assessor and school district. They currently remain in litigation, although Fort Edward Supervisor Terry Middleton said Thursday there was a settlement on the table.

Nolette explained that every April 1, Washington County makes up the difference in unpaid real estate taxes to the school and village, making them whole.

In the case of the WCC parcels, the county has been left holding the bag for millions in unpaid taxes, impacting the county fund balance by \$5.7 million.

“We’re down almost \$6 million for the fund balance and now we are looking at a \$10 million bond for highway (improvements),” said Hebron Supervisor Brian Campbell during the meeting. “We’ve run out of money to help anybody. ... We have to protect ourselves and the county.”

At the opening of Thursday’s meeting, board Chairman Bob Henke asked everyone to put on their county hats when making this decision.

“This has never been a county issue ... the county is getting dragged into it,” he said. “I do not feel good about the county being \$6 million down in the fund balance. ... This is the biggest issue we have had to deal with in a long time. Try to keep it together and do what’s best for everybody in the county.”

Attorneys representing WCC, the village of Fort Edward and school Superintendent Dan Ward all expressed their take on how the issue might move forward.

“I ask you to choose an option that doesn’t hurt a certain group of county residents,” said Ward. “The school district absolutely knows we have money to pay back.”

During the discussion, Hartford Supervisor Dana Haff said it was time to “stop the bleeding.”

“We have to put a tourniquet on and stop the bleeding. The 1138 is the tourniquet,” he said.

Several other supervisors echoed Haff’s sentiment and asked Treasurer Nolette his thoughts on their best option.

“The best thing for the county is to stop this,” Nolette said. “The best thing for the county is the 1138.”

Additionally, the Finance Committee approved two other resolutions related to the Fort Edward delinquent tax parcels.

Previously, Fort Edward village and school district asked the county to not take any action on the parcels for six months from April 1. In response, the Finance Committee approved a compromise resolution of three months. As part of this compromise, the village and school will pay back a portion of the county’s April 1 make-whole payment as an escrow amount on the tax charge back.

Nonetheless, a caveat in the mix, the school board must also vote to approve this payment.

“One of the biggest hurdles is the school has to sign off on it before April 1,” Nolette said.

The Finance Committee also voted to cancel an approximate \$1.6 million in interest and penalties owed on the properties. Although Nolette said if there was a settlement with WCC, that number would change.

The Fort Edward town, village and school have until March 31 to settle with WCC.

The Washington County Board of Supervisors will vote on these resolutions during the March 15 board meeting.

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NJ SPOTLIGHT

[AG Takes Aim at ExxonMobil Over Polluted Site in Gloucester County](#)

By Tom Johnson

March 8, 2019



The 12-acre-plus Lail property where ExxonMobil is alleged liable for harmful contamination

The state is once again going after ExxonMobil to clean up and pay to restore once pristine natural areas, in this case a 12-acre site in Gloucester County where drums of industrial products and other contaminants were dumped.

In a six-count lawsuit filed by the Attorney General, the state is seeking natural-resources damages against the oil giant. Previously, during the administration of former Gov. Chris Christie, New Jersey had settled an NRD suit against ExxonMobil for \$225 million for causing massive pollution problems at its former refineries in Linden and Bayonne and other facilities.

The latest court action is the fifth NRD case brought by Attorney General Gurbir Grewal and the state Department of Environmental Protection since the beginning of 2018 when Phil Murphy took over as governor. It marks a much more aggressive stance to force polluters to restore damages to drinking water, surface waters, and animal and marine life. No new NRD lawsuits were brought during Christie's eight years in office.

'...going to bring the hammer down on polluters'

"We're going to bring the hammer down on polluters and hold them responsible for the damage they've caused in the Garden State," Grewal said. "We have strong laws on the books to require companies to clean up their mess, and we're going to keep using them."

The latest litigation focuses on industrial dumping on a 12-acre property in East Greenwich and Paulsboro dating back to the 1950s. The disposal of drums containing petroleum products and other hazardous materials polluted soil, surface and ground waters, wetlands, and fish, according to the state.

The contaminants included materials identified as aluminosilicate, a source of PCBs, piled nine feet thick in some areas. PCBs, or polychlorinated biphenyls, were banned in 1979 after research found the material, commonly used in manufacturing and commercial operations, caused multiple health risks, including cancer in humans and animals.



At the Lail property in Gloucester County, where ExxonMobil is alleged to have caused harmful contamination

Despite some cleanup efforts at the site over the years by ExxonMobil, there is still evidence that groundwater, soil, sediments and other ecological resources remain contaminated with the toxic compound. In its 41-page lawsuit, the state noted advisories have been issued against eating fish contaminated with PCBs in the Delaware River Basin because of elevated concentrations of the pollutant in fish tissue.

ExxonMobil had a consultant do a study nine years ago to evaluate risks from the contaminant. It concluded past cleanups had eliminated the primary and ongoing source of PCBs in both soils and sediments at the site. But the consultant found that even 23 of 30 small mammals found at the site had detectable levels of PCBs in their tissues.

Christie's settlement

The previous case against ExxonMobil settled perhaps the largest NRD case ever brought by New Jersey against a company. Initially, the state sought \$8.9 billion in natural-resource damages, stemming from widespread contamination of more than 1,000 acres of marshes, waters and land at refineries in Linden and Bayonne.

The Christie administration settled the case for \$225 million, prompting an outcry from environmentalists, legislators and local officials. At the time, Christie officials defended the agreement as the single largest NRD settlement in state history. The administration also came under fire for diverting money from the case to help balance the state budget.

Since then, voters have approved a constitutional amendment preventing diversion of any future NRD settlements away from cleaning up and restoring areas damaged by pollution. Meanwhile, lawmakers have convened a process aimed at establishing standards to ensure the state obtains aggressive settlements as originally contemplated in the initial ExxonMobil case.

"Clean and thriving wetlands, sediments, ground and surface waters are critical to healthy ecosystems, and where they are harmed, DEP will work with the Attorney General's office to bring a case for natural resource damages," said Department of Environmental Protection Commissioner Catherine McCabe.

The Attorney General's office did not specify what damages it is seeking, because the state must investigate further to determine how much damage has occurred.

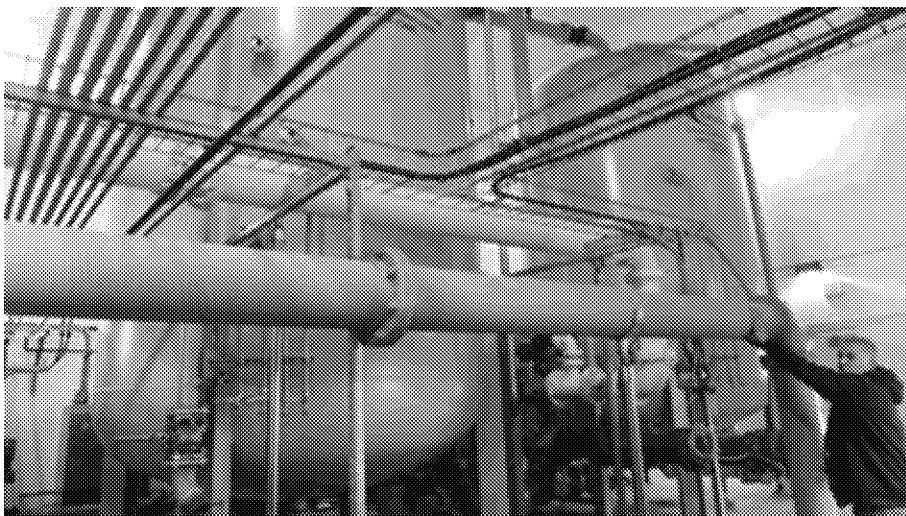
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NEWSDAY

[Bethpage Water District files lawsuit against Northrop Grumman, chemical companies](#)

By David M. Schwartz

March 7, 2019



The Bethpage Water District filed a federal lawsuit Thursday against Northrop Grumman and chemical companies over the likely carcinogen 1,4-dioxane, which has been found in the district's drinking water wells at levels 12 times higher than what was recommended by a state drinking water panel.

The lawsuit said the contamination came from operations at the 600-acre former site where the Navy and the company formerly known as Grumman researched, tested and manufactured airplanes and space exploration equipment from the 1930s to 1990s.

Through leaks, spills, routine wastewater discharge and "careless disposal practices," the man-made chemical 1,4-dioxane — used primarily to stabilize an industrial solvent used to degrease machine parts — contaminated groundwater, according to the lawsuit filed electronically in U.S. District Court's Eastern District of New York.

Bethpage estimated the cost to install treatment at eight of its nine water wells at \$30 million to \$40 million, and its operations and management budget could rise by 20 percent.

"The numbers are staggering," Bethpage Water District Superintendent Mike Boufis said. "And someone needs to pay for it, other than the residents of Bethpage."

Five of nine of the district's water wells have tested positive for 1,4-dioxane at 1 part per billion or above, which is the maximum contaminant level recommended by a panel of state experts in December. Three more wells tested at 0.5 parts per billion or above. Boufis said the water district starts treatment on wells for all contaminants before they hit the maximum level because of sensitivity by customers about negative health effects from tap water.

The New York State Department of Health is expected to set a formal drinking water standard this year.

Two drinking water wells at Motor Lane that had tested at 12 parts per billion and 9 parts per billion were shut down last year. The district has installed a \$2.8 million pilot treatment system that is awaiting state approval.

t's the second lawsuit filed by Bethpage Water District against Northrop Grumman over the groundwater pollution plume. The first, in 2013, was thrown out in March 2018 by the Second U.S. Circuit Court of Appeals in Manhattan because the water district waited too long to sue, according to the court.

Water District attorneys said because 1,4-dioxane is an emerging contaminant that is not yet regulated by the state or federal government, there won't be a similar issue with the statute of limitations.

"This is not something that the Bethpage Water District has spent years evaluating and studying," said Matt Edling, partner with the San Francisco law firm Sher Edling.

Bethpage in the same lawsuit also sued Dow Chemical Co., Ferro Corp. and Vulcan Materials Co., alleging the companies knew or should have known their products containing 1,4-dioxane were harmful. Northrop Grumman, Dow, Ferro and Vulcan Materials did not respond to requests for comment.

Also on Thursday, the Plainview Water District sued Dow, Ferro and Vulcan.

In total, 13 Long Island water districts have sued chemical manufacturers over 1,4-dioxane, seeking to recoup unspecified expenses.

Water providers have labeled 1,4-dioxane as the most pressing issue facing them, in part because it can't be removed through traditional treatment methods.

Richard Humann, president of Melville-based H2M architects + engineers and a consultant for Bethpage, said, "How the Long Island water suppliers are now going to have to respond to this is probably, in my 30-year career, the most challenging water quality initiative water providers have had to undertake."

Water providers have warned that the dioxane treatment costs could reach \$840 million to address contamination at dozens of water wells. The chemical also has been found in household products such as body washes, shampoos and baby products.

Bethpage Water District serves 33,000 residents and businesses and has a budget of \$8.2 million a year.

Officials are scheduled to hold a news conference Friday morning to announce the lawsuit.

The Navy was not named in the Bethpage lawsuit, but Edling said his law firm is evaluating whether the Navy could be responsible for dioxane contamination.

The Bethpage site was named to the state Superfund list in 1983. Gov. Andrew M. Cuomo in January promised to release a plan to help clean up the pollution plume.

About 1,4-dioxane

The chemical 1,4-dioxane, designated by the U.S. Environmental Protection Agency as a likely human carcinogen associated with liver and kidney damage, is the top concern of drinking water providers because it has been found widely on Long Island, and is not removed through conventional treatment methods, water providers said. The man-made chemical is found in industrial solvents and in trace amounts in cosmetics, detergents, shampoos and other home care products.

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GLENS FALLS POST-STAR

Former supervisor weighs in on Fort Edward tax issue over dewatering site

By Kathleen Phalen-Tomaselli

March 6, 2019

Up for discussion at Thursday's Washington County Board of Supervisors Finance Committee meeting is the fate of the former General Electric Co. dewatering site in Fort Edward, owned until recently by WCC, a D.A. Collins real estate holding company based in Ballston Spa.

With several options on the table, county supervisors are examining the merits of foreclosure versus exercising their "1138" option to remove the property from the tax rolls and charge back the delinquent taxes to the Fort Edward municipalities, including town, village and the Fort Edward Union Free School District.

The decision deadline is the end of the month.

Fort Edward leaders have said in several recent meetings that they want the county to take the least-aggressive option by foreclosing on the property, so the town, village and school district will not be left holding the bag for millions of dollars in unpaid taxes.

"If they take the 1138 option (collecting back taxes) on our property, we wouldn't be very happy," said village of Fort Edward Mayor Matthew Traver last week, following the county treasurer's workshop on the issue. "We do not want to see an 1138; we think foreclosure is the way to go."

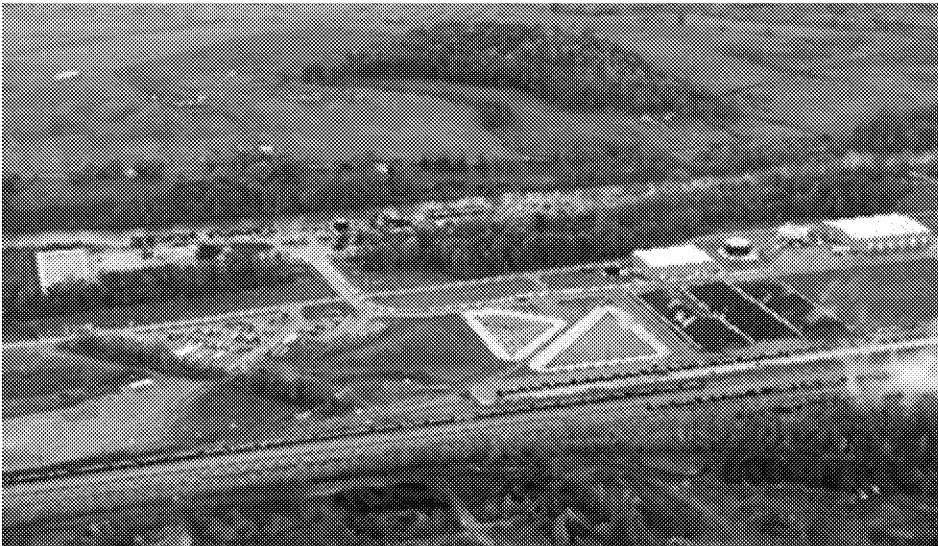
And in Monday night's Village Board meeting, Traver said he doesn't want to sit back and take this from the county and plans to fight the county decision; even though the county has picked up the Fort Edward town, village and school district delinquent tax burden for the past several years.

Former Easton Supervisor John Rymph said Fort Edward town, village and school district got this windfall when GE was operating the dewatering plant, but the property was assessed much higher than its actual value.

"They got greedy and now it's coming back to them," he said.

According to Rymph, he repeatedly told Fort Edward leaders that once GE shut the doors, the property was useless.

"I had 32 years as an assessor and was elected supervisor when this process started," Rymph said on Wednesday, referring to the former dewatering plant. "I had many discussions with Mitch Suprenant and Jim Lindsay when they were assessing the dewatering facility. I warned them repeatedly not to value the plant too high."



Suprenant retired as Fort Edward supervisor in 2017 and was replaced by longtime Fort Edward Town Board member Terry Middleton.

Lindsay was the former Kingsbury supervisor and former chairman of the Washington County Board of Supervisors until Argyle Supervisor Bob Henke took over the board.

Rymph explained that after GE left the Fort Edward property, it became obsolete.

When looking at the value, Rymph said, there are several things to look at including income, sales and replacement cost.

"You might know what it cost, but you have to ask was it worth it," he said. "Property value for taxation is based on market value. Because there is no income to use, no sales and replacement cost is no good because the majority of improvements were useless after the dredging was done."

To further complicate the issue, the actual former dewatering plant site is now owned by the Fort Edward Local Property Development Corp., a relatively obscure group formed in late December and headed by Town Board member Neal Orsini.

Additionally, the Fort Edward municipalities, the town assessor and the school district have been involved in a tax assessment challenge since 2016 with WCC, with no resolution currently on the table.

Middleton has remained relatively silent about the upcoming county supervisors' decision, but during his 2017 campaign for Fort Edward supervisor he said he was uniquely positioned to handle the former dewatering site delinquent tax issue and litigation because "he has a decade's experience as a board member to help him handle those issues."

"From a county standpoint, we just want our taxes," Granville Supervisor Matt Hicks said in an interview last week, adding that he can't speak for the whole board. "We're just not sure of the lay of the land. It's in flux and moving all the time."

Rymph said he is concerned about who is footing the bill for these delinquent taxes.

"The county should not reimburse any jurisdiction for their greed," he said. "It is not fair and it is immoral to charge the other 15 towns for the greed of two towns and especially the school."

According to county attorney Roger Wickes, the Board of Supervisors will have to vote on the issue by the March 15 meeting in Fort Edward. And it's likely they will discuss the resolution at the March 7 Finance Committee meeting.

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NJ ADVANCE MEDIA

Good news! N.J. factories and refineries only released 6 million pounds of toxic chemicals in 2017

By Michael Sol Warren and Erin Petenko

March 6, 2019



Factories, refineries and other industrial facilities in New Jersey released almost six million pounds of toxic chemicals into the state's air, water and land in 2017, according to newly published federal data.

And that's actually an improvement for the Garden State.

On Tuesday, the U.S. Environmental Protection Agency released its Toxics Release Inventory (TRI) for 2017. The TRI tracks what types of chemicals were released by industrial sites into air and water across the country, how much of those chemicals were released and which sites they were released from.

According to the TRI, industrial sites in New Jersey released 5.8 million pounds of toxic chemicals in 2017. That's a more than 260,000 pound improvement from 2016, and the lowest amount of chemical releases in the Garden State since at least 2003.

The sites releasing chemicals into New Jersey's environment were scattered across the state, with the heaviest polluters being clustered in industrial areas near the Arthur Kill in the Northern part of the state, and the Delaware Bay in the Southern half.

Nitrate compounds were by far the most released chemical in New Jersey in 2017, with more than 4.7 million pounds of the stuff being sent into the state's environment. According to the EPA, nitrates made up 99 percent of the chemicals released into New Jersey water that year.

Though most people are not exposed to extreme concentrations of nitrates, at high enough levels the chemicals can cause decreases in blood pressure, increased heart rate, reduced ability of the blood to carry oxygen to tissues, vomiting and even death, according to the Centers for Disease Control and Prevention.

A much larger variety of chemicals made up New Jersey's industrial air pollution in 2017. The state's leading industrial air pollutant was ammonia, which according to the TRI made up 18 percent of chemicals released into the air by Garden State facilities.

Exposure to high levels of ammonia can cause respiratory problems, according to the EPA.



Lead, which even in low amounts can stunt growth in children, according to the EPA, and chromium, which can cause respiratory problems according to the CDC, were also among the top chemicals released in the Garden State in 2017.

The bulk of New Jersey's toxic chemical releases came from a few facilities in 2017. The biggest source of chemical releases in the state was the Phillips 66 Bayway Refinery in Linden, which released more than 2.8 million pounds of chemicals into the Garden State's environment that year.

With the decrease in chemical releases from 2016 to 2017 continuing a trend in the decline of pollution, the EPA praised the numbers, both in New Jersey and across the nation, as proof that industry has grown with minimal environmental impacts.

"The latest TRI analysis confirms that under President Trump the U.S. continues to improve its air quality while growing its economy," said EPA Administrator Andrew Wheeler.

But environmental groups, like the New Jersey Sierra Club, saw less to be excited about in the numbers.

"Even though there has been a decline in air pollution from 2016, many urban and environmental justice communities are still suffering from this air pollution," said Jeff Tittel, the director of the New Jersey Sierra Club. "Most of the decline in total and air pollution since 2016, which is not a lot, has been based on companies closing or switching to another use."

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National News

Bloomberg Environment

Kavanaugh Ruling May Keep Judges from Backing EPA Coolant Limits

<https://news.bloombergenvironment.com/environment-and-energy/kavanaugh-ruling-may-keep-judges-from-backing-epa-coolant-limits>

Abby Smith

March 8, 2019

- Kavanaugh wrote 2017 D.C. Circuit opinion largely vacating first set of Obama-era coolant limits
- Judges seem sympathetic to chemical makers supporting coolant rule but bound by prior decision

A prior ruling on climate-warming coolants may tie the hands of federal appeals judges—even if they agree with chemical makers in support of limiting those coolants.

Judges on the U.S. Court of Appeals for the District of Columbia Circuit appeared sympathetic March 8 to arguments from major chemical producers Honeywell Inc. and The Chemours Company, as well as the Natural Resources Defense Council, that the Environmental Protection Agency has authority to restrict the use of the coolants under the Clean Air Act.

But the three judges—Judges Judith W. Rogers, Robert L. Wilkins, and Harry T. Edwards—also raised significant questions during the arguments about whether they could support the EPA rule in light of a 2017 D.C. Circuit ruling vacating in large part a similar coolant regulation.

At issue in the case is a second Obama-era regulation limiting hydrofluorocarbons, or HFCs—refrigerant chemicals that are greenhouse gases hundreds of times more potent than carbon dioxide.

Obama-Era Bans

The EPA during the Obama administration adopted two regulations in 2015 and 2016 banning the use of certain HFCs.

Two chemical producers, Mexichem Fluor Inc. and Arkema Inc., challenged both rules. In 2017, the D.C. Circuit ruled 2-1 to vacate in large part the first set of HFC limits in a decision written by now-Supreme Court Justice Brett Kavanaugh.

The court already spoke on the EPA's authority, Edwards said during an exchange with Thomas Lorenzen, an attorney with Crowell & Moring LLP arguing the case for Honeywell, Chemours, and the NRDC.

"We are bound by what the prior panel said," even if judges were to disagree with the 2017 opinion, Edwards later added.

Lorenzen said even if the judges think they are restricted by the prior panel's ruling, they shouldn't leave it be.

He urged the judges to tee up another chance to hear arguments in support of the EPA's HFC rules by outlining their criticism of the first panel's decision. Lorenzen also suggested the full circuit court hear the issue.

"It behooves the court not to repeat the mistakes of a prior decision where there's an opportunity to rectify it," he said.

'Fifth Bite at the Apple'

Another potential strike against Honeywell and Chemours is the EPA's change in position.

The EPA, in oral arguments less than a month after President Donald Trump took office in 2017, defended the first Obama-era HFC rule. But this time around, the EPA is walking away from its regulation, urging the court to reach the same decision it did in the first case.

The agency asks the court to “refuse to allow intervenors a fifth bite at the apple,” Benjamin Carlisle, a Justice Department attorney, said in arguments.

Honeywell, Chemours, and the NRDC had petitioned both the full D.C. Circuit and the Supreme Court to rehear the first HFC lawsuit. Both courts rejected the request.

The EPA has said it is working to retool the Clean Air Act program under which the Obama administration set HFC limits, but it isn’t clear when the agency will issue a regulation. The majority of appliance manufacturers and chemical makers, including Mexichem and Arkema, back a 2016 global deal to limit HFCs known as the Kigali Amendment.

‘Incredible Dissent’

The 2017 opinion found the EPA went beyond its authority in banning HFCs, initially used as replacements for ozone-depleting refrigerant chemicals, because the Clean Air Act program dealt strictly with chemicals harming the ozone layer.

Wilkins, who also sat on that panel, had dissented, backing the Obama-era rule.

But even Wilkins appeared hesitant that the judges could support the 2016 limits, even if they wanted to. Lorenzen argued the judges in the first case never fully addressed whether they had jurisdiction to hear challenges to the HFC rules or whether the lawsuit was timely, given that a 1994 EPA regulation laid out the agency’s authority to restrict HFCs and other substances.

“I mean, it was an incredible dissent, but it doesn’t say anything about jurisdiction,” Wilkins said in an exchange with Lorenzen.

The case is Mexichem Fluor v. EPA, D.C. Cir., No. 17-1024, oral argument 3/8/19.

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E&E News

EPA advisers blast draft soot assessment

<https://www.eenews.net/greenwire/2019/03/08/stories/1060123565>

Sean Reilly

March 8, 2019

An EPA advisory panel has issued a scathing critique of a draft agency assessment that had offered support for tightening national ambient air quality standards for fine particulates.

In a preliminary [report](#) posted online yesterday, the Clean Air Scientific Advisory Committee said that the draft assessment failed to look comprehensively at all available research and did not follow “widely accepted scientific methods for deriving sound, independently verifiable, scientific conclusions from available data.” The draft also lacked “scientific support for policy deliberations and decision-making” and used “unverifiable opinions to draw major policy-relevant conclusions,” according to the preliminary report.

The seven-member committee, usually known by its acronym, CASAC, urged EPA to produce a second draft. The panel has scheduled a public teleconference for March 28 to discuss the preliminary report, described as “a work in progress.”

In an email exchange last night, CASAC Chairman Tony Cox said the document is not final until committee members approve and send it to EPA Administrator Andrew Wheeler.

The report's release comes as the committee remains under fire from critics in the scientific community who doubt both its competence and commitment to carrying out an objective review of the standards for fine particulates, which are technically known as PM2.5 and are linked to an array of heart and lung ailments. The report represents the committee's first take on the draft "integrated science assessment" released by EPA last October ([Greenwire](#), Oct. 16, 2018).

That almost 1,900-page roundup of research on PM2.5's health effects acknowledged evidence that the current standards are not tight enough to adequately protect public health. While the existing annual exposure standard, set in 2012, is 12 micrograms per cubic meter of air, the assessment noted evidence of harm at levels as low as 5 micrograms per cubic meter of air.

That's a concern for the oil and gas companies and other politically influential industries that say the report overstates the risks posed by lower levels of PM2.5. "The causal framework is not adequate," an American Petroleum Institute adviser said in prepared testimony at a CASAC meeting in December.

The new draft report similarly raises questions about cause and effect. While Cox has said that he is fully committed to an impartial review of the standards, critics have noted his past work as a consultant for API. They are also skeptical of the ability of the full committee, dominated by members with little direct background in air pollution research, to conduct a rigorous review.

John Vandenberg, director of the branch of EPA's National Center for Environmental Assessment that produced the draft integrated science assessment, did not immediately reply to email and phone messages today seeking comment on CASAC's critique.

But in an email yesterday, Chris Frey, a North Carolina State University environmental engineering professor who chaired the committee from 2012 to 2015, also pointed to Wheeler's decision last October to abruptly disband an auxiliary panel created to provide added scientific muscle to the review. Wheeler's move, which came five days before the draft assessment was released, helped to "undermine the quality, integrity and credibility" of the review process, Frey said.

In individual comments folded into the new draft report, two other CASAC members, James Boylan of the Georgia Environmental Protection Division and Mark Frampton, a retired professor of medicine from the University of Rochester, reiterated calls for EPA to reconstitute the auxiliary panel.

The actual report does not go that far but recommends that CASAC "be provided with access to additional technical expertise as needed, to thoroughly review the second draft" of the integrated science assessment.

Under the Clean Air Act, CASAC is supposed to provide independent expertise to EPA in periodic reviews of the thresholds for particulate matter and five other "criteria" pollutants. While those reviews are supposed to play out on a five-year cycle, EPA has rarely, if ever, met that timetable. Adding to the pressure on CASAC are fast-track deadlines imposed last year by then-EPA Administrator Scott Pruitt for completion of both the particulate matter review and a separate assessment of ozone standards by late next year.

In an open letter late last year, Frey and other former CASAC members had urged the committee to reject the current schedule for the particulate matter review ([Greenwire](#), Dec. 10, 2018).

PM2.5, often labeled soot, refers to fine particles that are no bigger than 2.5 micrometers in diameter, or one-thirtieth the width of a human hair.

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Phoenix New Times

Environmentalists Plan to Sue EPA for Missing 51 Clean-Air Deadlines in Arizona

<https://www.phoenixnewtimes.com/news/dont-hold-your-breath-waiting-for-epa-on-arizona-air-standards-11233952>

Elizabeth Whitman

March 8, 2019

Three environmental groups are threatening to sue a laggard Environmental Protection Agency for failing to do its job in ongoing efforts to clean up the Valley of the Sun's notoriously polluted air.

The agency has missed more than 50 deadlines in recent months under the Clean Air Act to approve or disapprove of Arizona's plans to reduce ozone in metro Phoenix. It has also failed to review, by another deadline, the ozone levels of more than a dozen of the smoggiest regions in the country, including our own Valley, according to two separate notices of intent to sue EPA, which were sent to the agency Monday and Tuesday.

"Every day of delay ... that's all the longer that we're waiting for clean air," said Sandy Bahr, Grand Canyon chapter director of the Sierra Club, which co-signed the intent to sue over delayed ozone-level reviews. That letter was sent to EPA director Andrew Wheeler on Monday.

Arizona Conference Gave Industry 'Unprecedented' Access to Top EPA Officials

Behind the Garbage, Shutdown Takes Invisible Toll on Arizona's Environment

The EPA's Latest Proposal Is Terrible News for Arizona Water

The second notice, sent to Wheeler on Tuesday, came from the Center for Biological Diversity and the Center for Environmental Health. It called out the agency for failing to review Arizona's ozone-reduction plans on time.

The Clean Air Act requires notices of intent to sue to be sent 60 days before a lawsuit is actually filed.

Under that law, EPA was required to assess by January 20, 2019, where the country's polluted regions stand in meeting federal ozone standards. It also missed 51 deadlines since November 2017 (most of them were in December 2018) to rule on Arizona's plans to cut down on ozone.

Although the issues at hand are procedural, local environmental advocates and officials say the now-missed deadlines serve an important function. They worry that EPA's slacking would hinder the state's ongoing efforts to cut down on smog-producing, asthma-inducing ozone.

"The EPA is supposed to be watching, to make sure the air quality standards are met to protect public health." - Lindy Bauer, Maricopa Association of Governments

"The process is also designed to save people from having asthma attacks or being killed," said Robert Ukeiley, a lawyer with the Center for Biological Diversity.

"It's already been established that the air is unsafe to breath in the Phoenix-Mesa area," Ukeiley added. "We need to know sooner rather than later whether the plan is going to work or not."

Erin Jordan, spokesperson for the Arizona Department of Environmental Quality, acknowledged via email that the EPA's Region 9, which includes Arizona, did have a backlog of plans to review. In response to a question about whether the department followed up with EPA after not receiving responses by deadline, Jordan wrote that "ADEQ has on-going contact with EPA" as it reviews plans.

Ukeiley doesn't entirely trust the EPA overall. But he said he had faith in the "good career employees" in Region 9 to review Arizona's plans.

Two reasons for that lack of trust: Wheeler, the agency's newly confirmed director, is a former lobbyist for the coal industry. The head of the Region 9 office is Michael Stoker, who once worked for an agricultural industry group and was also the spokesperson for an oil company that the EPA sued in 2011 for violating the Clean Water Act.

Clean Air Act standards for ozone have gradually become stricter over the years, forcing Arizona to chase moving targets in order to meet air-quality standards. Metro Phoenix still hasn't met standards from 2008, and by 2021, it is supposed to meet the even-more-stringent standards set in 2015.

As a result, from time to time, the state must upgrade its plans to reduce pollution.

Those plans are wide-ranging, yet focus on cars and trucks, which tend to be the biggest polluters in the Valley, said Lindy Bauer, environmental director for the Maricopa Association of Governments. Among these efforts are emissions testing for vehicles, programs to encourage ride-sharing, and efforts to increase telecommuting.

"The EPA is supposed to be watching to make sure the air-quality standards are met to protect public health," Bauer said.

Under this process, the plans that the state submits to EPA contain rules to reduce emissions, and those rules should take effect around the time that the state submits those plans.

But the plans themselves don't take effect until EPA signs off on them. Or, in some cases, EPA sends them back to the state, usually with the message that they don't go far enough, said Bahr of the Sierra Club.

Emissions from cars and trucks contribute substantially to the formation of ozone, which is particularly harmful to people with asthma or other respiratory diseases.

Asthma rates in Arizona — 9.3 percent — are higher than the national average of 8.3 percent, according to the latest data from the CDC, which is from 2016.

Its mortality rate from asthma is among the highest in the country, at 14.2 percent. Only Arkansas, Mississippi, Oregon, and Utah had higher rates of death by asthma, according to CDC data, although rates in 10 states and the District of Columbia were considered unreliable or were suppressed.

In the notice filed Tuesday, representatives of the Center for Biological Diversity and the Center for Environmental Health said they would prefer not to sue. Rather, they want to see the EPA simply do its job.

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E&E News

Panel sets 'ambitious' agenda on projects, climate change

<https://www.eenews.net/eedaily/stories/1060123491/search?keyword=epa>

Courtney Columbus

March 8, 2019

The House Transportation and Infrastructure Committee is planning hearings on how the administration is implementing last year's water resources bill and to lay the foundation of the 2020 version.

"As part of these discussions, we will look at ways to make our communities more resilient, by learning about how we can use natural infrastructure, water recycling and other tools," said Rep. Grace Napolitano (D-Calif.), chairwoman of the T&I Subcommittee on Water Resources and Environment.

Extending the Clean Water State Revolving Fund, which helps back low-interest loans to municipalities, is also on the list of priorities, along with a renewed commitment to oversight.

"We will strive to enact a bipartisan water infrastructure financing bill that not only reauthorizes the Clean Water State Revolving Fund, but also seeks to address the affordability challenges facing all of our communities," Napolitano said.

She is a co-sponsor of legislation, H.R. 1497, introduced earlier this week by full committee Chairman Peter DeFazio (D-Ore.) to reauthorize the revolving fund.

Napolitano, during her panel's first hearing of the new Congress, emphasized bipartisanship and called the agenda "ambitious but achievable."

The bill, dubbed the "Water Quality Protection and Job Creation Act," would authorize \$20 billion for wastewater infrastructure over a five-year period. It would authorize grant money for municipalities to address sewer overflows or stormwater.

"However, for those communities where a state revolving fund loan is still not enough to address local affordability needs, we need to ensure other tools are available," Napolitano added.

"We need to fund targeted clean water grants," she said, "such as those authorized for combined and sanitary sewer overflows and stormwater capture and reuse in the 2018 Water Resources Development Act."

Ranking member Bruce Westerman (R-Ark.) called for an "all-hands-on-deck approach to reverse the decline of our nation's infrastructure."

That includes searching for new funding sources, ramping up public-private collaboration and "improving" federal regulations.

Westerman also called for a focus on innovative technologies and for EPA to implement its integrated planning initiative, which was signed into law last year.

Climate change

Witnesses and lawmakers also discussed the need to make water and wastewater infrastructure resilient to climate change.

Rep. Harley Rouda (D-Calif.) asked how climate change affects the calculations of how much funding is needed for water projects.

Jill Heaps, assistant professor of law at Vermont Law School, said the latest numbers on the Clean Water Act side are from 2012.

"Those numbers are likely very, very low," she said.

She recommended the subcommittee ask EPA when new numbers would be available and how climate change would affect those numbers.

"We've seen that our infrastructure is already inadequate," added Andrew Kricun, executive director and chief engineer with the Camden County Municipal Utilities Authority in New Jersey.

"The need for investment in water infrastructure is more important than ever," he said. "I believe we must close the water infrastructure gap while we can."

Environmental justice, affordability

Heaps, who is also vice chairwoman of the National Environmental Justice Advisory Council, said a workgroup she led is planning to submit a report on water needs and disadvantaged communities to EPA Administrator Andrew Wheeler this week. The council is a federal advisory committee to EPA.

Heaps laid out a list of steps Congress should take to address affordability, such as increasing federal funding for water infrastructure.

The \$4 billion proposed in DeFazio's new bill is an improvement, she said, but it would take \$6 billion per year to reach Reagan-era levels.

"But even that's not enough. Congress must take bold action to fill the \$600 billion funding gap for water and wastewater infrastructure," she said, adding that the newly introduced "Water Affordability, Transparency, Equity and Reliability Act" that would establish a \$35 billion water infrastructure trust fund "is a good start."

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E&E News

Legislation would ban carcinogen

<https://www.eenews.net/eedaily/stories/1060123495/search?keyword=epa>

Cecelia Smith-Schoenwalder

March 8, 2019

Asbestos in the United States would be banned under newly introduced bicameral bills from Sen. Jeff Merkley and Rep. Suzanne Bonamici, both Oregon Democrats.

The "Alan Reinstein Ban Asbestos Now Act" would ban the mining, importation, use and distribution in commerce of asbestos or any mixtures containing asbestos.

"It's outrageous that in the year 2019, asbestos is still allowed in the United States," Merkley said in a statement. "While the EPA fiddles, Americans are dying. It's time for us to catch up to the rest of the developed world, and ban this dangerous public health threat once and for all."

EPA was recently petitioned and sued over reporting requirements for asbestos (Greenwire, Feb. 20). Asbestos, which is a known carcinogen, is banned in more than 60 countries.

The legislation would amend the Toxic Substances Control Act to direct EPA to ban asbestos within one year of the bill's enactment.

It would also require companies that made, processed or distributed asbestos in the past three years to submit to EPA a report detailing their activities within 120 days of the bill's enactment.

Additionally, it would direct EPA to work with the departments of Health and Human Services and Labor to submit a report to Congress on the presence of asbestos in public and private buildings.

The bill is named after Alan Reinstein, who died in 2006 from mesothelioma, which is caused by asbestos exposure. His wife, Linda, co-founded the Asbestos Disease Awareness Organization, which supports the bill.

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Bloomberg Environment

Makeover of EPA's Science Office Long Planned by Career Staff

<https://news.bloombergenvironment.com/environment-and-energy/makeover-of-epas-science-office-long-planned-by-career-staff>

March 8, 2019

- Science Advisor, Science Policy offices merge, four research centers created
- Restructuring initiated by EPA career staff won't cost jobs

The EPA is consolidating several of its science and research offices in a reorganization of the agency's scientific arm that was announced to staff March 7.

Under the restructuring, the Environmental Protection Agency's Office of Research and Development would combine its 13 offices into eight.

The plans include merging the Office of the Science Advisor with the Office of Science Policy, which the EPA had been weighing since late 2018.

It also would create four research centers, according to an EPA staff [presentation](#) obtained by Bloomberg Environment.

The reorganization was led by career staff and initiated before the Trump administration came into office, Molly Block, an EPA spokeswoman, told Bloomberg Environment in a statement.

The plans are meant to allow EPA scientists to "better address the increasingly complex environmental challenges of the 21st century," she said.

"It's been talked about for years," Robert Kavlock, who previously served as the EPA's deputy science chief, told Bloomberg Environment of the reorganization. "It's driven by the reality of the budget" and the number of staff and resources declining, he said.

The Office of Research and Development is working under a management structure developed nearly 25 years ago for a program that was then larger, he said.

Block said the office hasn't been restructured since 1995.

Science and Policy

Last year, critics of the Trump administration had expressed concerns that merging the Science Advisor and Science Policy offices would potentially taint the EPA's science with politics.

"To me that brings up questions of integrity: Is the science going to be science and policy separate, or is the science going to be altered by policy before it comes out of ORD?" said Ellen Gilinsky, who was associate deputy assistant administrator for water in the Obama administration. She added that the move is a "big change."

The EPA under the leadership of former Administrator Scott Pruitt proposed restricting the types of science the agency could use in its rulemakings to only studies where all information and data could be made public.

That move would exclude studies that use private human health information, which underpin many of the EPA's air and water pollution controls.

No Job Cuts

The EPA told staff the restructuring wouldn't result in any job losses.

Former EPA scientists had worried the plans would affect the agency's Integrated Risk Information System, or IRIS, which is a database on human health effects from exposure to various chemicals, Betsy Southerland, a former top science official in the EPA's Office of Water, told Bloomberg Environment.

But she said she was relieved by the plans, which were generated by career staff.

"It sounds like it's strictly an improvement in the management, and absolutely no people were moved out of" the Office of Research and Development, she said. "No programs were reduced in size or put in a position where the IRIS program would be affected."

Other EPA Reorgs

The science arm's reorganization isn't related to other EPA efforts to restructure, including an ongoing reorganization of the EPA's regional offices led by the agency's chief of operations, Henry Darwin.

The EPA's Block said the four new research centers—the Center for Environmental Measurement and Modeling, the Center for Computational Toxicology and Exposure, the Center for Public Health and Environmental Assessment, and the Center for Environmental Solutions and Emergency Response—will allow scientists in the same or complementary areas to work together more closely.

Kavlock, the former Office of Research and Development official, praised the new centers.

"It's a logical way to go," he said. "It will point the organization in a good way scientifically."

—With assistance from Steven Gibb and David Schultz.

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E&E News

EPA shaking up research office with reorganization

<https://www.eenews.net/greenwire/2019/03/08/stories/1060123563>

Kevin Bogardus

March 8, 2019

EPA plans to consolidate its research office, combining several of the agency's science programs into a smaller, more streamlined division.

EPA's Office of Research and Development released its reorganization plan yesterday afternoon to staff across the country in a town hall meeting. [Slides](#) obtained by E&E News show the extent of the changes, which will be the research office's first major reorganization in more than 20 years.

Under the proposal, the research office's 13 units will merge into eight.

The Office of Science Policy and the Office of the Science Adviser will combine along with the National Center for Environmental Research's scientific and technical staff to form the Office of Science Adviser, Policy and Engagement, which will report directly to the head of the research office.

In addition, NCER's grants management staff will merge with two other administrative offices to become the Office of Resource Management. Meanwhile, the Office of Science Information Management will remain the same.

Also under the proposed reorganization, the research office will create four new research centers that will report to its head.

EPA moving forward on the reorganization plan was first reported on by the Washington Examiner.

Bob Kavlock, a former acting assistant administrator of EPA's research office, told E&E News that a reorganization was needed given the diminishing workforce in the division. He said hundreds of employees had left the research office, so there was not a need for as many layers of management.

"It comes as no surprise. We have been talking about a reorganization for the last four, five years, so this is a nice logical conclusion to those discussions," said Kavlock, who spent nearly 40 years at EPA before retiring in November 2017.

"A shrinking organization doesn't need as much management, and this tilts more to the science than the management," he said.

The reorganization is expected to be implemented by Oct. 1 this year, research staff were told in yesterday's town hall meeting. No jobs will be lost under the reorganization plan, and staff will not have to transfer to another location.

"This reorganization will not result in a reduction in workforce. No one will lose their job, nor will they be forced to relocate," said EPA spokeswoman Molly Block. She noted that the research office will hold listening sessions for its staff, and a realignment package will be sent to appropriations committees on Capitol Hill for review.

EPA spokesman Michael Abboud said the reorganization proposal was led by career staff, including Jennifer Orme-Zavaleta, EPA's principal deputy assistant administrator for science and its science adviser. President Trump has not yet nominated someone to lead EPA's research office.

"The changes achieve scientific leadership, better integrate scientific approaches to problems, support mission and customer-focused solutions to environmental challenges, and create communities of practice within the organization," Abboud said. He said the research office was last reorganized in 1995.

Other reorganization efforts involving science are afoot at EPA, including a plan to have the research office "coordinate" the agency's regional laboratories (Greenwire, March 1). Plans to rework the research office overall have been discussed internally at EPA throughout last year.

The proposal to merge the science adviser's office with other offices was talked about at a town hall meeting in September, which sparked worries from environmental groups and congressional Democrats (Greenwire, Sept. 27, 2018). Consolidating NCER has also been discussed in the past.

Thomas Burke, who served as EPA's science adviser during the Obama administration's later years, said he thought the changes were "good ones."

"They could bring more efficiency, but most important will maintain the core functions of ORD," said Burke, who is now a professor at Johns Hopkins Bloomberg School of Public Health.

One EPA employee said more details of the reorganization plan are expected to emerge in the coming weeks.

"The jury is still out. Until we see the details, we will not know what's in this that may not be good for ORD," said the employee. "We have to remain vigilant."

Burke said he hoped "essential programs" like EPA's Integrated Risk Information System, which assesses health hazards of chemicals, will continue to be supported.

"EPA cannot fulfill its mandates without the science that provides the foundation for its public health decisions," Burke said.

"Time will tell," he added about the reorganization plan. "Even the best science is meaningless if it is ignored."

IRIS is now housed in EPA's National Center for Environmental Assessment, which will be merged into a new center with other programs under the reorganization plan.

The program has been a target of Republicans on Capitol Hill in the past. In addition, the Government Accountability Office recently found EPA officials had stymied its research ([E&E News PM](#), March 4).

Kavlock said, "I'm always worried about IRIS," adding, "There are some entities that would like IRIS to go away, and if it doesn't have a strong defender, that puts it in jeopardy."

While he did express some concerns — "Reorganizations tend to be painful" — Kavlock said EPA's plan to rework its research office should be beneficial.

"There is a lot of logic going into these changes, so overall it's a positive thing," he said. "There is never a perfect way to slice a pizza pie."

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E&E News

IG issues alert over destruction of employee's notes

<https://www.eenews.net/eenewspm/2019/03/08/stories/1060123619>

Kevin Bogardus

March 8, 2019

EPA's internal watchdog is warning the agency's financial office about destroying a document it sought.

The EPA Office of Inspector General today issued a "[management alert](#)" after it found that staffers in the Office of the Chief Financial Officer had destroyed an employee's notes. Those notes recorded the review of whether an EPA cloud service provider had complied with security controls for the agency's budget systems.

"We are concerned that OCFO acted incorrectly," said the IG alert, which was signed by Assistant IG Kevin Christensen, head of the IG's audit office.

Personnel in the financial office said they were barred from sharing the notes because of a nondisclosure agreement signed with the General Services Administration, which led them to destroy the record. But when the employee created the notes, they were aware that the IG was conducting an audit and such records were subject to disclosure.

In December 2017, the IG sent a [notice](#) that it was auditing security controls for EPA's budget systems.

The watchdog office noted that federal records law and EPA's records policy may have been violated. In addition, the financial office didn't provide "timely access" to records pertinent to an audit, as required under the Inspector General Act.

The IG asked that EPA provide a response to its alert within 15 days on what actions it has taken related to the employee's notes being destroyed.

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Feedstuffs

EPA sends E15, RIN reform rules to OMB

<https://www.feedstuffs.com/news/epa-sends-e15-rin-reform-rules-omb>

Jacqui Fatka

March 8, 2019

The Environmental Protection Agency sent a draft rule to allow for year-round sales of E15 ethanol fuel blends to the Office of Management & Budget (OMB) for review. This is the next step in the regulatory process and for meeting expectations that this rule-making be completed when the summer driving season begins on June 1. A separate rule aims to curb market speculation in biofuel credits.

The proposed rule does not have to be approved by Congress to be finalized, but it does have to be published and put out for public comment. In order for E15 to be available for summer sales, the process has to be completed before June 1.

The National Sorghum Producers has been an advocate for year-round E15 sales and will continue to work with the Administration and other ethanol and corn industry counterparts to clear the way for stores to sell higher blends for the summer drive season, the group said in a statement.

The National Corn Growers Assn. (NCGA) also welcomed the advancement of the rule. "NCGA is pleased to see the process move forward and will be providing input during this important phase," NCGA president Lynn Chrisp said. "A timely rule is important for the summer driving season, but it's also important that the rule is done right."

NCGA will be providing OMB with input to help ensure a strong, clear rule for E15. Following the review and interagency approval, EPA will issue a proposed rule for public comment.

Reuters reported that EPA also has a proposal aimed at preventing hoarding of renewable identification number (RIN) credits and improving monitoring to identify potential market manipulation. This includes requiring quarterly, instead of annual, retirement of sales of RINs and blocking certain non-obligated parties from purchasing RINs. Other precautions include a call for RIN buyers to disclose their holdings to EPA if they acquire large volumes of RINs in excess of a certain threshold – likely 120% of their obligation.

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KTIC Radio

Fisher responds to reports that EPA acted to help big refineries

<http://kticradio.com/crops/fischer-responds-to-reports-that-epa-acted-to-help-big-refineries/>

Senator Deb Fischer News Release

March 8, 2019

WASHINGTON, D.C. – U.S. Senator Deb Fischer (R-Neb.), a member of the Senate Agriculture Committee, released the following statement today in response to reports that, under former Administrator Scott Pruitt, the EPA acted to help big refineries profit:

"I am angry by reports that show what we long suspected: former EPA Administrator Scott Pruitt ignored the law to help big refineries at the expense of farmers and ethanol producers. The EPA gave 'hardship exemptions' to profitable refineries, releasing them from their biofuel blending obligations. According to projections, this could cause the ethanol industry to lose billions of gallons in demand.

"I intend to pursue legislative options to address abuse in the small refinery exemption process. I will also push new leadership at the EPA to make sure the agency is upholding the Renewable Fuel Standard as intended by law."

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San Francisco Chronicle

Feds to spend \$65M to clean up Navy dump site, wood facility

<https://www.sfchronicle.com/news/article/Feds-to-spend-65M-to-clean-up-Navy-dump-site-13673333.php>

March 8, 2019

PORTSMOUTH, Va. (AP) — The federal government has agreed to spend about \$65 million to clean up land in Virginia's Hampton Roads region that was polluted by a wood treatment facility and used as a military dump site.

The Environmental Protection Agency announced the agreement in a statement Thursday.

The area is located along the Elizabeth River in Portsmouth and sits near a U.S. Navy shipyard. It's been a federally designated Superfund site since 1990.

Atlantic Wood Industries and related companies had treated wood with toxic chemicals on the site for much of the 20th Century. The Navy also leased some of the land to dump contaminated waste. It included material that was used to sand blast ships.

The EPA in the 1980s found widespread contamination in the soil, groundwater, and river sediment.

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Axios: Generate Newsletter

<https://www.axios.com/newsletters/axios-generate-6ebba314-d00d-49c3-862e-29b6681fd9b0.html?chunk=4#story4>

Ben Geman

March 8, 2019

(Excerpt)

5. Chart of the day

As we've reported before many times, it's tough to cut carbon emissions from the transportation sector, which has now surpassed electricity as the biggest source of CO2 in the U.S.

The chart above, courtesy of the Dallas Fed, helps explain one of the reasons why it's such a challenge — increases in vehicle fuel efficiency are battling against increased driving.

What's new: EPA data released this week show that those efficiency gains are happening pretty slowly. Reuters breaks it down the newly available model year 2017 data here...

"For the 13 major automakers that sell vehicles in the United States, the average increase in fuel efficiency was a modest 0.2 miles per gallon (mpg) to 24.9 mpg from 24.7 mpg in 2016, in part because Americans were buying more large SUVs and pickups and fewer cars," they report.

EPA also said preliminary data points to another efficiency gain to 25.4 mpg in model year 2018.

What's next: EPA and the Transportation Department are crafting final rules to weaken Obama-era mandates on vehicle emissions and mileage during the first half of the 2020s.

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E&E News

The rollback that automakers don't want

<https://www.eenews.net/greenwire/stories/1060123559/search?keyword=epa>

Maxine Joselow

March 8, 2019

The White House held a call with automakers last month urging them to publicly support its rollback of Obama-era clean car rules, multiple news outlets reported yesterday.

Joining the call were senior officials from EPA and the National Highway Traffic Safety Administration, who told automakers to support the rollback or risk angering President Trump by siding with California's more stringent tailpipe emissions rules.

But since the call, not one automaker has issued a statement of support.

That begs the questions: If the automakers don't want the rollback, who does? And how did things get to this point?

The answers are complicated, and they illustrate the perils of peeling back regulations without adequately consulting the main industry that stands to be affected.

Who actually wants the rollback?

Gas pumps at gas station. Photo credit: Ashley M. Wright/U.S. Air Force

Oil and gas companies have a financial stake in seeking a rollback of Obama-era fuel efficiency rules: It stands to increase their profits at the pump. Ashley M. Wright/U.S. Air Force

Looking beyond automakers, there are two key parties who are actively seeking the rollback.

The first is Big Oil.

Marathon Petroleum Corp., the nation's largest refiner, engaged in a covert campaign to dial back the car rules, The New York Times reported late last year. The campaign included a lobbying blitz in Congress and statehouses across the country, as well as Facebook ads from an energy industry front group.

Oil and gas companies have an obvious financial reason to seek the rollback: It stands to increase their profits at the pump.

Under the Trump administration's proposal, Americans will use 20 percent more gasoline per year by 2035, according to an analysis by Energy Innovation, a San Francisco-based energy and environmental policy firm.

And nationwide, Obama-era rules were projected to cut oil consumption by 200 billion gallons through 2040, according to an analysis by the Union of Concerned Scientists.

"The real beneficiaries of this policy are absolutely the oil companies," Dave Cooke, senior vehicles analyst at UCS, told E&E News when the analysis came out last year.

The second party is a select group of political appointees in the Trump administration who view the Obama-era rules as an example of regulatory overreach.

Chief among these ideologues is Jeffrey Rosen, deputy secretary at the Department of Transportation. As an official in the George W. Bush administration, Rosen developed a long track record of fighting environmental regulations (Greenwire, Feb. 20).

For instance, while serving as general counsel in the White House Office of Management and Budget, he emerged as a vocal foe of EPA's authority to regulate greenhouse gas emissions from motor vehicles, power plants, petroleum refiners and other major polluters.

Trump last month nominated Rosen to serve as deputy attorney general. In that role, Rosen could help career lawyers at the Department of Justice defend the Trump administration's rollback of the car rules from legal challenges brought by environmental groups, public health organizations and California.

"Rosen's move to DOJ would put him in a position to defend this," Margo Oge, former head of EPA's transportation office, previously told E&E News. "His move to DOJ would be bad for the environment, bad for public health."

How did things get to this point?

Obama announcing fuel efficiency standards. Photo credit: Olivier Douliery/MCT/Newscom

Flanked by worldwide automakers, President Obama announces fuel economy standards to curb auto emissions for U.S. cars on May 19, 2009, in the Rose Garden. Olivier Douliery/MCT/Newscom

In 2009, President Obama stood in the Rose Garden announcing plans for aggressive new clean car standards. He was flanked by the leaders of 10 major automakers, including Ford Motor Co., General Motors Co. and Honda Motor Co.

In 2012, the Obama administration finalized the clean car standards as a joint rulemaking between EPA and NHTSA. The standards were aimed at getting cars and light trucks to travel an average of 54.5 mpg by 2025. That would dramatically reduce domestic oil consumption and greenhouse gas emissions from transportation.

Enter Trump.

Four days after his inauguration, Trump met with the CEOs of major automakers at their request. The topic of discussion was softening the Obama-era rules (Greenwire, Jan. 24, 2017).

In April 2018, former EPA Administrator Scott Pruitt announced the Obama-era rules were "inappropriate" and should be revised (Greenwire, April 3, 2018). The Alliance of Automobile Manufacturers, a powerful trade association, heralded the decision.

The following month, EPA sent OMB a proposed rule that called for freezing fuel economy requirements at 2020 levels through 2026.

At this point, automakers started to worry they were getting more than they had bargained for.

Indeed, it had become apparent that dialing back the Obama-era standards would set up a lengthy legal battle with California, which has the authority to set tougher tailpipe pollution rules than the federal government.

And while the battle played out in court, automakers would have to comply with a patchwork of requirements around the country, undermining their regulatory certainty and long-term planning.

This scenario became all the more likely last month, when the White House announced it was breaking off negotiations with California (Greenwire, Feb. 21).

Despite their initial request to Trump, automakers contacted for this story expressed a strong desire for the White House to harmonize the standards with California under a single national program.

"We're disappointed that EPA, NHTSA and the California Air Resources Board have not been able to reach an agreement on future fuel economy standards, and will continue to encourage all parties to work together," Ford Executive Vice President Joe Hinrichs said in a statement to E&E News.

"A coordinated program with every stakeholder is in the best interest of Ford's customers, and is the best path forward to achieve reductions in carbon dioxide emissions and support critical investments in new technologies," he added. "The auto industry needs regulatory certainty, not protracted litigation."

Gloria Bergquist, a spokeswoman for the Alliance of Automobile Manufacturers, said the group continues to advocate for "year-over-year fuel economy increases that align with the marketplace and provide compliance flexibilities."

"When preparing to release a major final rule, every Administration wants industry to stand beside them, and this administration is no different," Bergquist said in an email. "We still have not seen what will be in the final rule yet, but we are urging the administration to include year-over-year fuel economy increases. ... We still also believe that one national program is important."

Bergquist added that the group is hearing a final rule will be released in May, "so there is still time for talks among all the stakeholders."

General Motors and Honda didn't immediately respond to requests for comment this morning.

Dan Becker, executive director of the Safe Climate Campaign, has been advocating for clean car standards in Washington for more than a decade. He has his own theories about automakers' intentions.

When automakers initially asked Trump for relief, they were hoping the government would provide more "compliance flexibilities," he said. Those are credits for technologies that help companies comply with the standards but aren't necessarily related to the engine, such as more efficient air conditioning systems. Environmentalists call these credits "loopholes" because their benefits aren't well-verified.

"When the automakers lobbied Mr. Trump on day four of the administration, they wanted rollback via more loopholes," Becker said. "What they got was rollback by meat ax and years of legal warfare with California."

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Insider NJ

NJ Still Among Nation's Most Polluted

<https://www.insidernj.com/press-release/nj-still-among-nations-polluted/>

Jeff Tittel

March 8, 2019

Each year the EPA releases pollution data to help inform the public on how to get that pollution reduced. In 2017, nearly 6 million pounds of toxins were released into the New Jersey air as the state's 9 million residents breathed it in, keeping the state among the country's worst polluters. This is especially dangerous to residents all across the state who are already overburdened by pollution and continue to choke on dirty air. Many of the toxic chemicals emitted into our air, water and land are carcinogens, damaging our health and environment.

The Total On-Site releases of toxins in 2017 were slightly less than the 2016 total, according to the EPA's latest Toxics Release Inventory (TRI) National Analysis. That small a reduction doesn't matter much to the people of Linden or Paulsboro or Newark living near large refineries. The amount of air, water, and land toxins is still too high. The Phillips Bayway refinery is the biggest polluter in the state. Proposed new powerplants like one planned for the Meadowlands will make things worse. These facilities are not a clean bridge fuel as some people think and are causing serious health problems.

To make real progress reducing pollution, Gov. Murphy must enforce stricter regulations on current refineries and block any new fossil-fuel projects. The Trump Administration's continuing rollbacks on air and water protections put even more pressure on the state to act in reducing toxic emissions. New Jersey's air in many places is still too unhealthy to breathe. If this continues we will all need gas masks to breathe.

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Bloomberg Environment

Pesticide Registration Program Renewal Signed Into Law

<https://news.bloombergenvironment.com/environment-and-energy/pesticide-registration-program-renewal-signed-into-law>

Adam Allington

March 8, 2019

- Enactment extends law through fiscal 2023
- Signing ends spate of recent PRIA lapses that delayed new products

President Donald Trump signed a bill into law March 8 allowing industry fees to speed new pesticide registrations.

The extension of the Pesticide Registration Improvement Act, or PRIA, allows the Environmental Protection Agency to collect fees to support timely review of new pesticide applications through fiscal 2023.

The PRIA extension, widely referred to as PRIA-4, passed as a stand-alone bill in the Senate, [S. 483](#), on Feb. 14, and passed the House Feb. 25.

Due to a procedural matter, the bill had to go back to the Senate for another vote, and the Senate cleared the measure again Feb. 28 by voice vote.

PRIA has lapsed twice in recent months, first during the recent government shutdown, and most recently when it was stripped from an omnibus spending package the president signed on Feb. 15.

The program is considered to be broadly bipartisan and it enjoys the support of industry groups, because it provides certainty in the timing of EPA safety and environmental reviews of new pesticide chemicals.

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Bloomberg Environment

Drinking Water Limits for Fluorochemicals Years Away: EPA

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Sylvia Carignan

March 8, 2019

- Process for new PFOA, PFOS limits to take years—if EPA chooses to act
- EPA addressing public interest in fluorinated chemicals

Federally enforceable drinking water standards for two ubiquitous chemicals are likely about four years away—even if the EPA decides to act—the agency said March 8.

Limits for per- and polyfluoroalkyl substances would take at least 3 1/2 years to finalize, if the Environmental Protection Agency takes the amount of time it's statutorily allocated to create drinking water standards, Eric Burneson, a director in the EPA's groundwater and drinking water office, said at the Global Chemical Regulations Conference in Washington.

The substances have been detected in a growing number of public water supplies around the country. EPA Administrator Andrew Wheeler wants the agency to determine by the end of 2019 whether two specific members of the per- and polyfluoroalkyl substance family, known as PFOA and PFOS, should be regulated in drinking water.

Within two years of making that determination, the agency also must propose an enforceable level and ask the public to comment. Once public comments are received, the EPA has 18 months to revise its proposal and publish a final version.

Steve Via, director of federal relations for the American Water Works Association, said at the conference that such regulations might take longer.

“If we move forward on a normal pace, we’ll see a [maximum contaminant level] in 2027,” he said.

“The EPA could always move faster,” Burneson said.

The chemical compounds, also known as PFAS, have been used to manufacture nonstick and stain-resistant coatings in clothing, fast-food wrappers, carpets, and other consumer and industrial products.

PFAS compounds may cause adverse health effects, including developmental harm to fetuses, testicular and kidney cancer, liver tissue damage, immune system or thyroid effects, and changes in cholesterol, according to the EPA.

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